

subject to any such penalties, as aforesaid, if the court, having cognizance of the case, shall be of opinion that the case was one of emergency, and that the undertakers complied with the requirements of this section, so far as was reasonable under the circumstances.

14. The undertakers may, from time to time, alter the position of any pipes (not forming part of any main sewer of the local authority), or any wires, being under any street or place authorised to be broken up by them, which may interfere with the exercise of their powers under the Act or this license; and anybody or person may, in like manner, alter the position of any electric lines or works of the undertakers, being under any such street or place, as aforesaid, which may interfere with the lawful exercise of any powers vested in such body or person in relation to such street or place, subject to the following provisions, unless otherwise agreed between the parties interested:—

- (a) Fourteen days before commencing any such alteration, the undertakers, or such body or person (as the case may be), in this section referred to as “the operators,” shall serve a notice upon the body or person for the time being entitled to such pipes, wires, electric lines, or works (as the case may be), in this section referred to as “the owners,” describing the proposed alteration, and stating the amount of compensation (if any) proposed to be made in respect thereof, and the manner in which such compensation (if any) is proposed to be paid or secured, together with a plan showing the manner in which it is intended that such alterations shall be made, and shall, upon being required to do so by any such owners, from time to time, give them any such further information in relation thereto as they may desire.
- (b) Within seven days after the service of any such notice and plan upon any owners, such owners may, if they think fit, serve a requisition upon the operators requiring that any question in relation to such works, or any other question arising upon such notice or plan, as aforesaid, shall be settled by arbitration, and thereupon such question shall be settled by arbitration accordingly.
- (c) In settling any question under this section, an arbitrator shall have regard to any duties or obligations which the owners may be under in respect of such pipes, wires, electric lines or works, and may, if he thinks fit, require the operators to execute any temporary or other works, so as to avoid interference with any purpose for which such pipes, wires, electric lines, or works are used, so far as may be possible.
- (d) Where no such requisition, as in this section mentioned, is served upon the operators, the owners shall be held to have agreed to the notice or plan served on them as aforesaid, and in such case, or where, after any such requisition has been served upon them, any question required to be settled by arbitration has been so settled, the operators, upon paying or securing any compensation which they may be required to pay or secure in the manner proposed by them, or settled by arbitration, as aforesaid, may cause the alterations specified in such notice and plan, as aforesaid, to be made, but subject, in all respects, to the provisions of this license and the Act, and only in accordance with the notice and plan so served by them, as aforesaid, or such modifications thereof, respectively, as may have been settled by arbitration, as hereinbefore mentioned, or as may be agreed upon between the parties.
- (e) At any time, before any operators are entitled to commence any such alterations as aforesaid, the owners may serve a statement upon the operators, stating that they desire to execute such alterations themselves, and where any such statement has been served upon the operators, they shall not be entitled to proceed, themselves, to execute such alteration, except where they have notified to such owners that they require them to execute such alterations, and such owners have refused or neglected to comply with such notification, as hereinafter provided.
- (f) Where any such statement, as last aforesaid, has been served upon the operators, they shall, not more than forty-eight hours, and not less than twenty-four hours before the execution of such alterations is required to be commenced, serve a notification upon the owners, stating the time when such alterations are required to be commenced, and the manner in which such alterations are required to be made.
- (g) Upon receipt of any such notification as last aforesaid, the owners may proceed to execute such alterations as required by the operators, subject to the like restrictions and conditions as the operators would themselves be subject to in executing such alterations, so far as the same may be applicable.
- (h) If the owners decline, or, for twenty-four hours after the time when any such alterations are required to be commenced, neglect to comply with such notification, the operators may, themselves, proceed to execute such alterations, in like manner as they might have done if no such statement, as aforesaid, had been served upon them.

- (i) Expenses incurred by any owners in complying with any notification of any operators under the last preceding sub-sections shall be repaid to them by such operators, and may be recovered through a court of competent jurisdiction.
- (j) Any owners may, if they think fit, by any statement served by them upon any operators under this section, require the operators to give them such security for the repayment to them of any expenses to be incurred by them in executing any alterations as abovementioned as may be agreed upon between such owners and operators, or, in default of agreement, as may be determined by arbitration, and where any operators have been so required to give security, they shall not be entitled to serve a notification upon the owners requiring them to execute such alterations until such security has been duly given.
- (k) If the operators make default in complying with any of the requirements or restrictions of this section, they shall (in addition to any other compensation which they may be liable to make under the provisions of this license or the Act) make full compensation to the owners affected thereby for any loss, damage, or penalty which they may incur by reason thereof, and, in addition thereto, they shall be liable to a penalty not exceeding one hundred rupees for every such default, and, in the case of a continuing offence, to a further penalty not exceeding fifty rupees for every day after the first day during which such default continues: Provided that the operators shall not be subject to any such additional penalties, as aforesaid, if the Court, having cognizance of the case, shall be of opinion that the case was one of emergency, and that the operators complied with the requirements of this section so far as was reasonable under the circumstances.

15. Whenever the undertakers require to dig or sink any trench for laying down any new electric lines (other than service lines), or other works, near to which any pipe, sewer, drain, watercourse, defence, or work under the jurisdiction or control of the Local Government, or of any local authority, or belonging to any duly authorized Company, or any branch, or service pipe for the supply of gas or water, has been lawfully placed, or where any duly authorized Company requires to dig, or sink, any trench for laying down any new mains or pipes other than service pipes, or other apparatus, near to which any lines or works of the undertakers have been lawfully placed, the undertakers, or such duly authorised Company (as the case may be) in this section referred to as the "operators," shall, unless otherwise agreed between the parties interested, give to the Local Government or local authority, or to such only authorized Company, or to the undertakers (as the case may be), in this section referred to as the "owners," not more than forty-eight hours, and not less than twenty-four hours' notice before commencing to dig or sink such trench as aforesaid, and such owners shall be entitled, by their officer, to superintend the digging or sinking of such trench, and the operators shall conform with such reasonable requirements as may, from time to time, be made by the owners, or such officer, for the protection of every such sewer, drain, watercourse, defence, pipe, electric line, or work, and for securing the same from injury, and they shall also, if required to do so by the owners thereof, repair any damage that may be done thereto.

If the operators make default in complying with any of the requirements or restrictions of this section, they shall make full compensation to all owners affected thereby for any loss or damage which they may incur by reason thereof, and, in addition thereto, they shall be liable to a penalty not exceeding one hundred rupees for every such default, and, in the case of a continuing offence, to a further penalty not exceeding fifty rupees for every day after the first day during which such default continues: Provided that the operators shall not be subject to any such penalty if the court, having cognizance of the case, shall be of opinion that the case was one of emergency, and that the operators complied with the requirements and restrictions of this section, as far as was reasonable under the circumstances, or that the default in question was due to the fact that the operators were ignorant of the position of the sewer, drain, watercourse, defence, pipe, electric line, or work affected thereby, and that such ignorance was not owing to any negligence on the part of the operators.

16. Seven days before commencing to lay down, or place, any electric line, or to use any electric line in any manner, whereby the work of telegraphic, or telephonic, or electric signalling communication through any wire or line, lawfully laid down, or placed in any position, may be injuriously affected, the undertakers shall, unless otherwise agreed between the parties interested, give to the owner of such wire or line, notice in writing, specifying the course, nature and gauge of such electric line, and the manner in which such electric line is intended to be used, and the amount and nature of the currents intended to be transmitted thereby, and the extent to, and manner in which (if at all), earth returns are proposed to be used, and any owner entitled to receive such notice, may, from time to time, serve a requisition in the undertakers, requiring them to adopt such precautions as may be therein specified in regard to the laying, placing, or user of such electric line, for the purpose of preventing such injurious affection; and the undertakers shall conform with such reasonable requirements as

may be made by such owner for the purpose of preventing the communication through such wire or line from being injuriously affected, as aforesaid.

If any difference arises between any such owner and the undertakers with respect to the reasonableness of any requirements so made, such difference shall be determined by arbitration:

Provided that nothing in this sub-section shall apply to repairs or renewals of any electric line, so long as the course, nature, and gauge of such electric line, and the amount and nature of the current transmitted thereby, are not altered.

If the undertakers make default in complying with any of the requirements or restrictions of this section, they shall make full compensation to the body or person entitled to any such wire or line, for any loss or damage which they may incur by reason thereof, and, in addition thereto, they shall be liable to a penalty not exceeding fifty rupees for every such default, and, in the case of a continuing offence, to a further penalty not exceeding twenty rupees for every day after the first day during which such default continues: Provided that the undertakers shall not be subject to any such penalties as aforesaid if the Court, having cognizance of the case, shall be of opinion that the case was one of emergency, and that the undertakers complied with the requirements and restrictions of this section so far as was reasonable under the circumstances, or that the default in question was due to the fact that the undertakers were ignorant of the position of the wires or lines affected thereby, and that such ignorance was not owing to any negligence on the part of the undertakers.

Compulsory works.

17. The undertakers shall, within a period of two years after the commencement of this license, lay down suitable and sufficient distributing mains for the purposes of general supply throughout every street, or part of a street, specified in that behalf in the second schedule, and shall thereafter maintain the same.

18. In addition to the mains specified in the last preceding section, the undertakers shall, at any time after the expiration of eighteen months after the commencement of this order, lay down suitable and sufficient distributing mains, for the purposes of general supply, throughout every other street, or part of a street, within the area of supply, upon being required to do so in manner by this license provided.

All such mains as last abovementioned shall be laid down by the undertakers within six months after any requisition in that behalf served upon them in accordance with the provisions of this license has become binding upon them, or such further time as may, in any case, be approved of by the Local Government.

19. If the undertakers make default in laying down any mains in accordance with the provisions of this license within the periods prescribed in that behalf, respectively, they shall be liable to a penalty not exceeding fifty rupees in respect of each such default for each day during which such default continues, and, if the Local Government are of opinion in any case, that such default is wilful, and unreasonably prolonged, they may themselves, or upon the application of the local authority, revoke this license as to the whole, or with the consent of the undertakers, any part of the area of supply, or, if the undertakers so desire, may, after having given an opportunity to the local authority to make representations and objections with reference thereto, suffer the same to remain in force as to such area or part thereof, subject to such conditions as they may think fit to impose, and any conditions so imposed shall be binding on, and observed by, the undertakers, and shall be of the like force and effect in every respect as though they were contained in this license.

20. Any requisition requiring the undertakers to lay down distributing mains for the purposes of general supply throughout any street, or part of a street, under the last preceding sections, may be made by six or more owners or occupiers of premises along such street, or part of a street, or, where the Local Government or the local authority has the control and management of the public lamps in such street, or part of a street, by the Local Government or the local authority.

Every such requisition shall be signed by the owners and occupiers making such requisition, or by the Local Government or the local authority (as the case may be), and shall be served upon the undertakers.

Forms of requisition shall be kept by the undertakers at their office, and a copy shall be supplied, free of charge, to any owner or occupier of premises within the area of supply, and to the Local Government and the local authority, on applying for the same, and any requisition so supplied shall be deemed valid in point of form.

21. When any such requisition is made by any such owners or occupiers, as aforesaid, the undertakers (if they think fit) may, within fourteen days after the service of the requisition upon them, serve a notice on all the persons by whom such requisition is signed, stating that they decline to be bound by such requisition, unless such persons, or some of them, will bind themselves to take a supply of energy for three years, of such amount in the aggregate (to be specified by the undertakers in such notice) as will, at the rates of

charge for the time being charged by the undertakers for a supply of energy from distributing mains to ordinary consumers within the area of supply, produce, annually, such reasonable sum as shall be specified by the undertakers in such notice: Provided that, in such notice, the undertakers shall not be required to specify any sum amounting to less than twenty per centum upon the expense of providing, and laying down, the required distributing mains, and any other mains, or additions to existing mains, which may be necessary for the purpose of connecting such distributing mains with the nearest available source of supply.

Where such notice is served, the requisition shall not be binding on the undertakers unless, within fourteen days after the service of such notice on all the persons signing the requisition has been effected, or, in the case of difference, the delivery of the arbitrator's award, there be tendered to the undertakers an agreement, severally executed by such persons or some of them, binding them to take, for a period of three years at the least, such specified amounts of energy, respectively, as will, in the aggregate, at the rates of charge above specified, produce an annual sum amounting to not less than twenty per centum upon the expense of providing and laying down such distributing mains, or other mains, as above-mentioned, nor unless sufficient security for the payment, to the undertakers, of all moneys which may become due to them from such persons under such agreement, is offered to the undertakers (if required by them by such notice, as aforesaid) within the period limited for the tender of the agreement as aforesaid.

If any difference arises between the undertakers and any persons signing any such requisition as to the reasonableness of the amount specified by the undertakers in their notice, or as to the sufficiency of any security offered to them under the section, such difference shall be determined by arbitration.

22. Where any such requisition is made by the Local Government or the local authority, it shall not be binding on the undertakers unless, at the time when such service is effected, or within fourteen days thereafter, there be tendered to the undertakers (if required by them) an agreement executed by the Local Government or the local authority, and binding them to take, for a period of three years at the least, a supply of energy for lighting such public lamps in the street, or part of a street, in respect of which such requisition is made, as may be under their management or control.

23. The undertakers shall forthwith, after commencing to supply energy under this license, cause a map to be made of the area of supply on a horizontal scale of at least 1 inch to 100 feet, and shall cause to be marked thereon the line of all their then existing mains, service lines, and other underground works and distributing boxes, and shall, once in every year, cause such map to be corrected, and such additions to be made thereto, as will show the line of all their then existing mains, service lines, and other underground works and distributing boxes.

24. Every map so made, or corrected, for the undertakers, or a copy thereof, with the date expressed thereon of the last time when it was so corrected, shall be kept by the undertakers at their principal office within the area of supply, and a copy of every such map shall, within one month after such map is made or corrected, be served by the undertakers upon the Local Government and upon the local authority.

Every copy of the said map, as last corrected, which may be served upon the local authority, shall be kept by them at their office, and shall, at all reasonable times, be open to the inspection of all applicants, and such applicants may take copies of the same or any part thereof. The local authority may demand, and take from every such applicant, as aforesaid, such fee, not exceeding one rupee, for each inspection of such map or copy, and such further fee, not exceeding one rupee, for each copy of the same, or any part thereof, taken by such applicant, as they may, from time to time, prescribe.

25. If the undertakers fail to comply with any of the requirements of the last preceding sections of this license with respect to maps, they shall, for every such offence, be liable to a penalty not exceeding one hundred rupees, and to a further penalty not exceeding twenty rupees for every day, after the first day, during which such offence continues.

Testing.

26. The Local Government shall, from time to time, appoint, and keep appointed, one or more competent and impartial persons to be electric inspectors for the purpose of inspecting electric lines and works, and of certifying meters under this order.

27. The Local Government shall pay to every electric inspector appointed under this license such reasonable remuneration (if any) as they may, from time to time, determine, and such remuneration may be in addition to, or in substitution for, any fees which are directed to be paid to electric inspectors for services rendered by them under this license, as may be settled by the authority by whom such remuneration is determined: Provided that, where any such remuneration is settled to be in substitution for such fees as aforesaid, such fees shall, in lieu of being paid to such electric inspector for his own use, be due, and paid to him on behalf, and for the use of the Local Government, and shall be deposited by them in the public treasury.

28. Every electric inspector, if and when required to do so by the authority by whom he is appointed, shall, from time to time, test, for insulation and conductivity, any portion of any main of the undertakers within the area of supply through which energy is, or is intended to be, supplied by them: Provided that such testing shall not be made in regard to any particular portion of a main oftener than once in any three months, unless in pursuance of a special order in that behalf made by the Local Government.

29. Every electric inspector, if and when required to do so by any person supplied with energy by the undertakers, shall, from time to time, test, for insulation and conductivity, any service lines by which such energy is supplied, and the efficiency of any joints in such service lines and make such other tests in relation to such service lines as may, from time to time, be approved of by the Local Government.

30. Notice shall be given to the undertakers before the commencement of any testing by an electric inspector, and such testing shall be carried out at such suitable hours as, in the opinion of such inspector, will least interfere with the supply of energy by the undertakers, and in such manner as such inspector may think expedient, but, except under the provisions of a special order in that behalf made by the Local Government, he shall not be entitled to have access to, or interfere with, the mains of the undertakers at any points other than those at which the undertakers have reserved for themselves access to the said mains: Provided that the undertakers shall not be held responsible for any interruption in the supply of energy which may be occasioned by, or required by such inspector for the purpose of any such testing as aforesaid.

31. Every electric inspector shall, on the day immediately following that on which any testing has been completed by him under this license, make, and deliver, a report of the results of his testing, to the authority or person by whom he was required to make such testing, and to the undertakers, and such report shall be receivable in evidence.

If the undertakers or any authority, company, or person are, or is, dissatisfied with any report of any electric inspector, they may appeal to the Local Government against such report, and thereupon the Local Government shall enquire into, and decide upon, the matter of any such appeal, and their decision shall be final and binding on all parties.

32. The undertakers shall, at such places within a reasonable distance from any distributing main, establish, at their own cost, such reasonable number of testing stations as the Local Government shall deem sufficient, for testing the supply of energy by the undertakers through such main, and shall place thereat proper and suitable instruments of a pattern to be approved by the Local Government, and shall connect such stations, by means of proper and sufficient electric lines, with such mains, and supply energy thereto, for the purpose of such testing.

33. The undertakers shall set up, and keep upon all premises from which they supply energy by any distributing mains, such suitable and proper instruments of such pattern and construction as may be, from time to time, approved of, or prescribed by, the Local Government, and shall, from time to time, take, and record, and keep recorded, such observations as the Local Government, from time to time, prescribe, and any observations so recorded shall be receivable in evidence.

34. The undertakers shall keep in efficient working order all instruments which they are required by, or under, this license, to place, set up, or keep at any testing station, or on their own premises, and any electric inspector appointed under this license, may from time to time, examine and record the readings of such instruments at such times, and in such manner, as he may be directed by the authority by whom he is appointed, and any readings so recorded shall be receivable in evidence.

35. Any electric inspector appointed under this license shall have the right to have access, at all reasonable hours, to the testing places and premises of the undertakers, for the purpose of testing the electric lines and instruments of the undertakers, and ascertaining if the same are in order, and in case the same are not in order, he may require the undertakers forthwith to have the same put in order.

36. The undertakers may, if they think fit, on each occasion of the testing of any main or service line, or the testing or inspection of any instruments of the undertakers by any electric inspector, be represented by some officer or other agent, but such officer or agent shall not interfere with the testing or inspection.

37. All expenses of testing by an electric inspector, including such reasonable fees to the electric inspector as may, from time to time, be prescribed in that behalf by the local authority, with the approval of the Local Government, shall be paid by the undertakers, unless the report of the electric inspector, or, in the case of an appeal, the decision of the Local Government, shows that the local authority, or anybody or person supplied with energy, was guilty of any

default or negligence, and in such case the expenses of the testing, including such fees as aforesaid shall be ascertained by a court of competent jurisdiction and paid by such local authority, body, or person as the court shall direct.

38. The undertakers shall afford all facilities for the proper execution of this license with respect to testing and the readings and inspection of instruments, and shall comply with all the requirements of or under this license in that behalf, and in case the undertakers make default in complying with any of the provisions of this section, they shall be liable to a penalty not exceeding fifty rupees, and, in the case of a continuing offence, to a further penalty not exceeding ten rupees for every day, after the first day, during which such offence continues.

39. If, at any time, it appears to the Local Government that any mains, electric lines, or works of the undertakers are defective, and not in accordance with the regulations and conditions subject to which the undertakers are, for the time being, authorised to supply energy under this license, the Local Government may, by order in writing, require the undertakers to remedy such defect, so as to comply with such regulations and conditions, within such period as may be therein limited in that behalf, and, if the undertakers make default in remedying such defect within the time so limited, they shall be liable to a penalty not exceeding two hundred rupees for every day during which such default continues: provided that if such defect is, in the opinion of the Local Government, dangerous to public safety, they may also, by any such order, as aforesaid, forbid the use of such main, electric line, or work, from such date as may be specified in that behalf, until the defect is remedied, and, if the undertakers make use of any such main, electric line, or work, while the use thereof is so forbidden, they shall be liable to a penalty not exceeding one thousand rupees for every day during which such uses continue.

Supply.

40. The undertakers shall, upon being required to do so by the owners or occupiers of any premises situate within fifty yards from any distributing main of the undertakers in which they are, for the time being, required to maintain a supply of energy for the purposes of general supply to private consumers under this license, or any regulations and conditions subject to which they are authorised to supply energy under this license, give, and continue to give, a supply of energy for such premises, in accordance with the provisions of this license, and of all such regulations and conditions, as aforesaid, and they shall furnish, and lay any electric lines that may be necessary for the purpose of supplying the maximum power with which any such owner or occupier may be entitled to be supplied under this license, subject to the conditions following (that is to say), the cost of so much of any electric line for the supply of energy to any owner or occupier as may be laid upon the property of such owner or in the possession of such occupier, and of so much of any such electric lines as may be laid for a greater distance than sixty feet from any distributing main of the undertakers, although not on such property, shall be defrayed by such owner or occupier.

41. Every owner or occupier of premises requiring a supply of energy shall —

- (a) serve a notice upon the undertakers, specifying the premises in respect of which such supply is required, and the maximum power required to be supplied, and the day (not being an earlier day than a reasonable time after the date of the service of such notice) upon which such supply is required to commence; and
- (b) enter into a written contract with the undertakers (if required by them so to do) to continue to receive, and pay for, a supply of energy for a period of at least three years, of such an amount, that the rent payable for the same at the rate of charge for the time being charged by the undertakers for a supply of energy to ordinary consumers within the area of supply, shall not be less than twenty rupees per centum per annum on the outlay incurred by the undertakers in providing any electric lines required to be provided by them for the purpose of such supply, and give to the undertakers (if required by them so to do) security for the payment to them of all moneys which may, from time to time, become due to them by such owner or occupier in respect of any electric lines to be furnished by the undertakers, and in respect of energy to be supplied by them:

Provided, always, that the undertakers may, after they have given a supply of energy for any premises, by notice in writing, require the owner or occupier of such premises, within seven days after the date of the service of such notice, to give to them security for the payment of all moneys which may, from time to time, become due to them in respect of such supply, in case such owner or occupier has not already given such security, or in case any security given has become invalid, or is insufficient; and in case any such owner or occupier fail to comply with the terms of such notice, the undertakers may, if they think fit, discontinue to supply energy for such premises so long as such failure continues:

Provided, also, that if the owner or occupier of any such premises, as aforesaid, uses any form of lamp or burner, or uses the energy supplied to him by the undertakers for any purposes, or deals with it in any manner so as to unduly or improperly interfere with the

efficient supply of energy to any other body or person by the undertakers, the undertakers may, if they think fit, discontinue to supply energy to such premises so long as such user continues :

Provided, also, that the undertakers shall not be compelled to give a supply of energy to any premises unless they are reasonably satisfied that the electric lines, fittings, and works therein are in good order and condition, and not calculated to affect, injuriously, the use of energy by the undertakers or by other persons :

Provided, also, that in the event of any alterations of, or additions to, any electric lines, fittings, or works within such premises, as aforesaid, all such alterations or additions shall be notified to the undertakers by the occupiers before being connected to the source of supply, with a view to their being examined and tested.

If any difference arises between any such owner or occupier and the undertakers as to the reasonableness of the amount of any security required to be given, or as to the sufficiency of any security offered under this section, or as to the improper use of energy, or as to any alleged defect in any lines, fittings, or works, such difference shall be determined by arbitration.

42. The maximum power with which any such consumer shall be entitled to be supplied shall be of such amount as he may, from time to time, require to be supplied with, not exceeding what may be reasonably anticipated as the maximum consumption on his premises :

Provided that, where any consumer has required the undertakers to supply him with a maximum power of any specified amount, he shall not be entitled to alter that maximum, except upon one month's notice to the undertakers, and any expenses incurred by the undertakers in respect of the service lines by which energy is supplied to the premises, of such consumer, or any fittings or apparatus of the undertakers upon such premises, consequent upon such alteration, shall be paid by him to the undertakers, and may be recovered summarily as a civil debt.

If any difference arises between any such owner or occupier and the undertakers as to what may be reasonably anticipated as the consumption on his premises, such difference shall be determined by arbitration.

43. The undertakers, upon receiving reasonable notice from the Local Government or the local authority, requiring them to supply energy to any public lamps within the distance of seventy-five yards from any distributing main of the undertakers in which they are, for the time being, required to maintain a current of energy for the purposes of general supply under this license, or any regulations and conditions subject to which they are authorised to supply energy under this license, shall give, and continue to give, a supply of energy to such lamps in such quantities as the Local Government or the local authority may, from time to time require to be supplied.

44. Whenever the undertakers make default in supplying energy to any owner or occupier of premises to whom they may be, and are, required to supply energy, under this license, they shall be liable to a penalty not exceeding twenty rupees in respect of every such default for each day during which any such default occurs.

Whenever the undertakers make default in supplying energy to the public lamps to which they may be, and are, required to supply energy, under this license, they shall be liable to a penalty not exceeding twenty rupees in respect of every such default for each such lamp, and for each day during which any such default occurs.

Whenever the undertakers make default in supplying energy in accordance with the terms of any regulations and conditions subject to which they are authorized to supply energy under this license, they shall be liable to such penalties as may, by such regulations and conditions, be prescribed in that behalf :

Provided, always, that when such default is due to cyclones, or floods, or storms, or other causes not under the control of, or due to default of, the undertakers, no penalty shall be enforced if the undertakers show due diligence in resuming the supply :

Provided that the penalties to be inflicted on the undertakers under this section shall in no case exceed, in the aggregate, the sum of five hundred rupees in respect of any defaults not being wilful defaults on the part of the undertakers for any one day, and provided, also, that in no case shall any penalty be inflicted in respect of any default if the court, having cognizance of the case, shall be of opinion that such default was caused by inevitable accident, or *force majeure*, or was of so slight or unimportant a character as not materially to affect the value of the supply.

Price.

45. The undertakers may charge for energy supplied by them to any ordinary consumer (otherwise than by agreement)—

Methods of charging.

- (1) by the actual amount of energy so supplied ; or
- (2) by the electrical amount contained in such supply ; unless the Local Government, from time to time, otherwise direct ; or
- (3) by the number of hours during which the supply of energy is actually used by such consumer, and the maximum power with which he is, for the time being, entitled to be supplied.

Provided that, before commencing to supply energy through any distributing main for the purposes of general supply, the undertakers shall give notice to the Local Government, and to the local authority, by what method they propose to charge for energy supplied through such main; and where the undertakers have given any such notice, they shall not be entitled to change such method of charging, except after one month's notice of such change has been given by them to the Local Government, and the local authority, and to every consumer of energy who is supplied by them from such main:

Provided, also, that when the undertakers have given notice to any consumer of charging him by the number of hours, and the maximum power, in manner above described such consumer, if he objects to that method of charge, may, by one month's notice in writing, require the undertakers to charge him by the actual quantity of energy supplied to him, and thereafter the undertakers shall not, except with the consumer's consent, charge him by any other method.

46. The prices to be charged by the undertakers for energy supplied by them shall not exceed those stated in that behalf in the fourth schedule, in the first, second, and third sections thereof, respectively:

Maximum prices.

Provided that, if the Local Government are of opinion that, or the local authority, or the undertakers shall, at any time after the expiration of seven years after the commencement of this license, make a representation to the Local Government that the prices, or methods of charge stated in the said schedule ought to be altered, the Local Government, after such enquiry as they may think fit, may make an order varying the prices, or methods of charge, in lieu thereof, and the prices, or methods of charge so varied, or substituted, shall have effect on, and after, such day as may be mentioned in the order, as if they had been stated in the said schedule: Provided, also, that the prices, and methods of charge for the time being in force, may be altered, in like manner, at any time after the expiration of any, or every, period of seven years after the same were last altered.

47. Subject to the provisions of this license and of the principal Act, and the right of the consumer to require that he shall be charged according to some one or other of the methods abovementioned in cases where he is entitled to require a supply, the undertakers may make any agreement with a consumer as to the price to be charged for energy, and the mode in which such charges are to be ascertained, and may charge accordingly.

Other charges by agreement.

48. The price to be charged by the undertakers, and to be paid to them for all energy supplied to the public lamps, and the mode in which such charges shall be ascertained, shall be settled by agreement between the Local Government or local authority and the undertakers, as the case may be, and, in the event of difference, by arbitration, regard being had to the circumstances of the case, and the distributing, or other mains (if any) which may have to be laid for the purpose, and the prices charged to ordinary consumers in the district.

Price to public lamps.

Meters and Apparatus.

49. The energy supplied by the undertakers to any ordinary consumers under this license, or the electrical quantity contained in such supply (according to the method by which the undertakers elect to charge), in this license referred to as "the value of the supply," shall, except as otherwise agreed between such consumer and the undertakers, be ascertained by means of an appropriate meter, duly certified under the provisions of this license.

Meters to be used except by agreement.

50. A meter shall be considered to be duly certified under the provisions of this license if it be certified by an electric inspector, appointed under this license, to be of some construction and pattern, and to have been fixed, and to have been connected with the service lines, in some manner approved of by the Local Government, and to be a correct meter; and every such meter is, in this order, referred to as a "certified meter." Provided that where any alteration is made in any certified meter, or where any such meter is unfixed, or disconnected from, the service lines, such meter shall cease to be a certified meter unless, and until, it be again certified as a certified meter under the provisions of this license.

Meters to be certified.

51. Every electric inspector, who may be required by the undertakers, or by any consumer, to examine any meter for the purpose of certifying the same as a certified meter under the provisions of this license, shall be entitled to demand, from the undertakers, or consumer, so requiring him and to be paid, such fees as may, from time to time, be determined, in that behalf, by the Local Government, before commencing such examination, and every electric inspector shall, upon being required so to do by the undertakers, or any such consumer, as aforesaid, examine any meter situate within the district for which he is appointed, if such fees are offered to him, as aforesaid, and shall certify the same as a certified meter if he considers it entitled to be so certified.

52. Where the value of the supply is, under this license, required to be ascertained by means of an appropriate meter, the undertakers shall, if required so to do by the consumer, supply him with an appropriate meter, and shall, if required so to do, fix the same upon the premises of the consumer, and connect the service lines therewith, and procure such meter to be duly certified under the provisions of this license, and, for such purposes,

Undertakers to supply meters if required to do so.

may authorize and empower any officer or person to enter upon such premises, and execute all necessary works, and do all necessary acts: Provided that, previously to supplying any such meter, the undertakers may require such consumer to pay to them a reasonable sum in respect of the price of such meter, or to give security therefor, or may require him to enter into an agreement for the hire of such meter as hereinafter provided, and also to pay to them a reasonable sum in respect of the expenses of fixing such meter, and connecting it with the service lines, and procuring the same to be certified under this license.

If any difference arises between the undertakers and any consumer under this section, such difference shall be determined by arbitration.

53. No consumer shall connect any meter used, or to be used, under this license, for ascertaining the value of the supply, with any electric line through which energy is supplied by the undertakers, or disconnect any such meter from any such electric line, unless he has given, to the undertakers, not less than forty-eight hours' notice in writing of his intention so to do, and if any person acts in contravention of this section, he shall be liable, for each offence to a penalty not exceeding twenty rupees.

54. Every consumer of energy supplied by the undertakers shall, at all times, at his own expense, keep all meters belonging to him, whereby the value of the supply is, under this license, to be ascertained, in proper order for correctly registering such value, and, in default of his so doing, the undertakers may cease to supply energy through such meter.

The undertakers shall have access to, and be at liberty to take off, remove, test, inspect, and replace, any such meter at all reasonable times: Provided that all reasonable expenses of, and incident to, any such taking off, removing, testing, inspecting and replacing, and the procuring such meter to be again duly certified where such re-certifying is thereby rendered necessary, shall, if the meter be found to be not in proper order, be paid by the consumer, but if the same be in proper order, all expenses connected therewith shall be paid by the undertakers.

55. The undertakers may let for hire any meter for ascertaining the value of the supply, and any fittings thereto, and any other apparatus required for their undertaking for such remuneration in money, and on such terms, with respect to the repair of such meter, or apparatus, and fittings, and for securing the safety and return, to the undertakers, of such meter, or apparatus, and fittings, as may be agreed upon between the hirer and the undertakers, or, in case of difference, be decided by the Local Government, and such remuneration shall be recoverable by the undertakers summarily as a civil debt.

56. The undertakers shall, unless the agreement of hire otherwise provides, at all times, at their own expense, keep all meters, let for hire by them to any consumer, whereby the value of the supply is ascertained, in proper order for correctly registering such value, and, in default of their so doing, the consumer shall not be liable to pay rent for the same during such time as such default continues. The undertakers, shall, for the purposes aforesaid, have access to, and be at liberty to remove, test, inspect, and replace, any such meter at all reasonable times: Provided that the expenses of procuring any such meter to be again duly certified, where such re-certifying is, thereby, rendered necessary, shall be paid by the undertakers.

57. If any difference arises between any consumer and the undertakers as to whether any meter, whereby the value of the supply is ascertained (whether belonging to such consumer or the undertakers) is, or is not, in proper order for correctly registering such value or as to whether such value, has been correctly registered, in any case, by any meter, such difference shall be determined, upon the application of either party, by an electric inspector, or, where the Local Government, are the consumers, by an officer to be appointed by the Local Government, who shall also order by which of the parties the costs of the proceedings before him shall be paid, and the decision of such inspector or officer shall be final and binding on all parties. Subject, as aforesaid, the register of the meter shall be conclusive evidence, in the absence of fraud, of the value of the supply.

58. Where any consumer who is supplied with energy by the undertakers from any distributing main is provided with a certified meter for the purpose of ascertaining the value of the supply, and the undertakers chance the method of charging for energy supplied by them from such main, the undertakers shall pay to such consumer the reasonable expenses to which he may be put in providing a new meter for the purpose of ascertaining the value of the supply according to such new method of charging, and such expenses may be recovered by the consumer from the undertakers summarily as a civil debt.

59. In addition to any meter which may be placed upon the premises of any consumer to ascertain the value of the supply, the undertakers may, from time to time, place upon his premises such meter, or other apparatus, as they may desire, for the purpose of ascertaining or regulating either the amount of energy supplied to such consumer, or the number of hours during which such supply is given, or the maximum amount of such supply, or any other quantity, or time, connected therewith: Provided that such meter shall be of

some construction and pattern, and shall be fixed and connected with the service lines in some manner approved by the Local Government, and shall be supplied and maintained entirely at the cost of the undertakers, and shall not, except by agreement, be placed otherwise than between the mains of the undertakers and the terminals on the consumer's premises at which the supply is given.

Notices, &c.

60. Notices, orders, and other documents under this license may be in writing or in print, or partly in writing and partly in print, and where any notice, order, or document requires authentication by the local authority, the signature thereof by the Chairman or Secretary to the local authority shall be sufficient authentication.

61. Any notice, order, or document, required or authorised to be served upon any body or person under this license or the Act, may be served by the same being addressed to such body or person, and being left at, or transmitted through the post to, the following addresses, respectively:—

- (a) In the case of the Local Government, the office of the Secretary in the Public Works Department.
- (b) In the case of any local authority, the office of such local authority.
- (c) In the case of the undertakers, or any other Company having a registered office, the registered office of the undertakers, or such Company.
- (d) In the case of a Company having an office, or offices, but no registered office, any such office.
- (e) In the case of any other person, the usual or last known place of abode of such person.

Where any notice is served by post, it shall be deemed to have been served at the time when the letter, containing the notice, would be delivered in the ordinary course of post, and, in proving such service, it shall be sufficient to prove that the letter containing the notice was properly addressed and put into the post.

A notice, order, or document, by this license required, or authorised, to be served on the owner, or occupier, of any of the premises, shall be deemed to be properly addressed if addressed by the description of the "owner" or "occupier" of the premises (naming the premises) without further name or description.

A notice, order, or document, by this license required, or authorised, to be served on the owner, or occupier, of premises, may be served by delivering the same, or a true copy thereof to some person on the premises, or if there is no person on the premises to whom the same can, with reasonable diligence, be delivered, by fixing the notice on some conspicuous part of the premises.

61A. If this license shall not be renewed at the end of the period for which it is hereby granted, the following provision shall have effect:—

- (a) The local authority, or the Local Government, if they think fit, may, by notice in writing, require the undertakers to sell, and thereupon the undertakers shall sell to them the undertaking, or such part of it as is within the area of supply, upon terms of paying the then value of all lands, buildings, works, materials, and plant of the undertakers, suitable to and used by them, for the purposes of the undertaking within such area, or part thereof; such value being agreed, or estimated by arbitration, on the basis of the value of the undertaking as a going concern.
- (b) If no purchase is effected by the Local Government or the local authority under the provisions aforesaid, the undertakers shall be at liberty to sell and dispose of the said undertaking, and all lands, buildings, works, materials, and plant, of the undertakers, to such persons, and in such manner, as to the undertakers, may seem fit, in their absolute discretion.
- (c) If no purchase or sale shall be effected, the provisions of clause 65 (e) and (f) shall take effect, so far as they are applicable to the circumstances of the present clause (61A).

Revocation of License.

62. If, at any time, after the commencement of this license, the local authority make a representation to the Local Government, or the Local Government themselves are of opinion that the undertakers have made any default in executing works or supplying energy in accordance with the terms of the license, and that such default is in consequence of the insolvency of the undertakers, and that by reason of such insolvency the undertakers are unable, fully and effectually, to discharge the duties and obligations imposed upon them by this license, the Local Government shall enquire into the truth of such representation, and if, upon such enquiry, they are satisfied of the truth of such representation, they shall, upon the application of the local authority, or at their own discretion, revoke this license as to the whole, or, with the consent of the undertakers, as to any part of the area of supply.

63. If, at any time, after the commencement of this license, the undertakers represent to the Local Government, or the Local Government are of opinion that the undertaking cannot be carried on with profit, and ought to be abandoned, the Local Government shall enquire into the truth of such representation, and if, upon such enquiry, they are satisfied of the truth of such representation, they may, if, in their discretion, they think fit, revoke this license as to the whole, or (with the consent of the undertakers and of the local authority) as to any part of the area of supply.

64. In addition to any other powers which the Local Government may have in that behalf, they may revoke this license at any time with the consent and concurrence of the undertakers and the local authority of the area (if any) upon such terms as the Local Government may think just.

65. If the Local Government at any time revoke this license as to the whole, or any part, of the area of supply, under any of the provisions of this license, the following provisions shall have effect :—

- (a) The Local Government shall serve a notice of such revocation upon the undertakers, and upon the local authority of the area (if any), and shall, in such notice, fix a date at which such revocation shall take effect, and, from and after such date, all the powers and liabilities of the undertakers under this license for the supply of energy, within such area, or part thereof, as aforesaid, shall absolutely cease and determine.
- (b) Within one month after the service of such notice by the Local Government, the local authority, or the Local Government, if they think fit, may, by notice in writing, require the undertakers to sell, and thereupon the undertakers shall sell to them the undertaking, or such part of it as is within such area, or part thereof, as aforesaid, upon terms of paying the then value of all land, buildings, works, materials and plant, of the undertakers, suitable to, and used by, them for the purposes of the undertaking, within such area, or part thereof; such value being agreed or estimated by arbitration, on the basis of the value of the undertaking as a going concern.
- (c) Where no purchase is effected by the Local Government or the local authority under the provisions of the last sub-section, and any other local authority, Company, or person, is willing to purchase the undertaking, or such part of it, as aforesaid, the Local Government, if they think fit, may, with the consent of the undertakers, or without the consent of the undertakers, in case the price is not less than that for which the Local Government, or the local authority, might have purchased the same under this section, direct that the undertaking, or such part thereof, as aforesaid shall be so transferred.
- (d) Where any purchase is effected, or any transfer is directed under the preceding provisions of this section, the undertaking, or part thereof, so purchased or transferred, shall vest in the purchasers or transferees thereof, freed from any debts, mortgages, or similar obligations of the undertakers, or attaching to the undertaking; and the revocation of this license, as to the whole of the area of supply or such part thereof, as aforesaid, shall extend only to the revocation of the rights, powers, authorities, duties, and obligations of the undertakers from whom the undertaking, or such part thereof, as aforesaid, is purchased or transferred, in relation to the supply of energy within such area, or part thereof, and, save as aforesaid, this license shall remain in full force within such area, or part thereof, in favour of the Local Government, or local authority, Company, or person, by, or to whom such undertaking, or part thereof, is purchased or transferred, as aforesaid.
- (e) Where no purchase has been effected, and no transfer has been directed under the preceding provisions of this section, the Local Government, the local authority, or anybody or person, who may be liable to repair any street, or part of a street, in which any works of the undertakers may have been placed, may forthwith remove such works with all reasonable care, and the undertakers shall pay, to the Local Government, the local authority, or other such body or person, as aforesaid, such reasonable costs of such removal, and of the reinstatement of such street, or part of a street, as may be specified in a notice to be served on the undertakers by the Local Government, the local authority, or other body or person, or (if so required by the undertakers, within one week after the service of such notice upon them) as may be settled by arbitration.

If the undertakers fail to pay such reasonable costs, as aforesaid, within one month after the service upon them of such notice, or the delivery of the award of the arbitrator (as the case may be), the Local Government, the local authority, or other such body or person, as aforesaid, may, without any previous notice to the undertakers (but without prejudice to any other remedy which they may have for the recovery of the amount), sell and dispose of any such works, as aforesaid, either by public auction, or private sale, and for such sum or sums, and to such person or persons, as they may

think fit, and may, out of the proceeds of such sale, pay and reimburse themselves the amount of the costs so specified or settled, as aforesaid, and of the costs of sale, and the balance (if any) of the proceeds of the sale shall be paid over by them to the undertakers.

- (f) In case the Local Government, the local authority, or any body or person, may be entitled to compensation for any damage sustained by them by reason, or in consequence of the execution of any works within such area, or part thereof, as aforesaid, or the exercise of any powers, by this license granted to the undertakers, or for any expenses to which such local authority, body, or person, may have been put in removing any works of the undertakers within such area, or part thereof, under the provisions of this license, such compensation shall be a first charge on any money that may have been deposited or secured, by the undertakers, under the provisions of this license, in respect of such area, or part thereof, and which may not have been repaid or released to the undertakers, and such money shall be applied rateably in satisfying such claims, and in every such case the amount of compensation to be paid, in respect of the various claims, and the persons to whom it is to be paid, shall be determined by arbitration.

General.

66. Where any consumer is required, under this order, to give security to the undertakers, such security may be by way of deposit, or otherwise, and of such amount as he and the undertakers agree on, or, as in default of agreement, may be determined, on the application of either party, by a court of competent jurisdiction, which may also order by which of the parties the costs of the proceedings shall be paid, and the decision of the said court shall be final and binding on all parties: Provided, that, where any such security is given by way of deposit, the undertakers shall pay interest at the rate of five rupees per centum per annum on every sum of ten rupees so deposited for every six months during which the sum remains in their hands.

67. Where the approval or consent of the Local Government is given in any case, or where the Local Government makes any order, or gives any notice, under the provisions of this license, or revokes this license, such approval or consent shall be signified, or such order shall be made, or notice given, or revocation made, by writing, under the hand of one of the Secretaries or Under-Secretaries of the Local Government.

68. All costs and expenses of, or incident to, application for any approval, consent, or order of the Local Government, including the cost of the tests (if any) which may be required to be made by the Local Government for the purpose of determining whether the same should be given or made, shall be borne and paid by the applicant or applicants therefor: Provided, always, that where any approval is given by the Local Government to any plan, pattern, or specification, they may require such copies of the same, as they may think fit, to be prepared, and deposited at their office, at the expense of the said applicant or applicants, and may, from time to time, as they think fit, revoke any approval so given, or permit such approval to be continued, subject to such modifications as they may think necessary.

69. Where the Local Government, upon the application of the undertakers, give any approval, or grant any extension of any time limited for the performance of any duties by the undertakers, or where the Local Government, at their own discretion or upon the application of the local authority, revoke this license as to the whole, or any part of the area of supply, notice that such approval has been given, or such extension of time granted or such revocation made, shall be published, by public advertisement, once, at least, in each of two successive weeks, in some one and the same local newspaper, by the body by whom such application is made, as aforesaid.

70. Where any application is made to the Local Government to extend any time, limited for the performance of any duties by the undertakers, notice of such application shall be served on the local authority of the area (if any) by the undertakers, and an opportunity shall be given, to such local authority to make representations or objections with reference thereto.

71. All penalties under this license, the recovery of which is not otherwise specially provided for, may be recovered through a court of competent jurisdiction.

72. The undertakers shall be answerable for all accidents, damages, and injuries happening through the act or default of the undertakers or of any persons in their employment, by reason of, or in consequence of, any of the undertakers' work, and shall save harmless all authorities, bodies and persons, by whom any street is repairable, and all other authorities, companies, and bodies, collectively and individually, and their officers and servants, from all damages and costs, in respect of such accidents, damages, and injuries.

73. The undertakers shall not be at liberty to sell the undertaking, or any part, or parts thereof, without the sanction of the Local Government, who shall be entitled to call for

and shall be furnished with all information they may desire to have relating to, or connected with, any proposed sale, or the negotiations therefor: Provided that nothing in this clause shall affect the provisions of clause 65 or 74.

74. Nothing in this license shall prevent the undertakers borrowing money on the security of mortgages of the undertaking, or shall make the consent or approval of the Local Government or local authority necessary to the validity or effect of any such mortgage. Provided that every mortgage of the undertaking shall be deemed to comprise all purchase-money, which may be paid to the undertakers in the event of any sale or transfer of the undertaking, or of any part thereof, under this license, and that any mortgage granted by the undertaker shall not be a charge upon the undertaking, or any part thereof, in the event of the undertaking or such part, being purchased, or transferred as aforesaid, and that every mortgage-deed granted by the undertakers shall be endorsed with notice to that effect.

75. Nothing in this license shall authorise the undertakers to lay or place any electric line or works in the River Hooghly, or affect in any manner the powers or privileges of the Commissioners of the Port of Calcutta.

76. Nothing in this license shall exonerate the undertakers from any indictment, action or other proceedings, for nuisance, in the event of any nuisance being caused by them.

77. Nothing in this license shall exempt the undertakers or their undertaking from the provisions of, or deprive the undertakers of, the benefits of any general Act relating to electricity, which may be passed by the Bengal or Imperial Legislative Council.

78. All questions which, under the terms of this license, are to be submitted to arbitration at any time during the subsistence of the license, shall be decided by any one person who may be agreed upon by the parties in difference, but if they cannot so agree, then by a committee of three persons, one to be nominated by the undertakers, a second by the other party to the difference, and the third being an independent person selected by the two nominees. The decision of the majority shall prevail, and be final, when all three members are appointed. If either party shall neglect or fail to appoint its member of the committee within 30 days after the happening of the difference, or if the two members appointed by the parties hereto, shall neglect, or fail, within the next succeeding 15 days after the expiration of the aforesaid 30 days, to appoint the third member, then all questions which would have been raised, or have come before the said committee for decision, shall be decided by such person as the Lieutenant-Governor of Bengal may nominate, and the decision of such person shall, in that case, be final and binding, absolutely, on both parties.

FIRST SCHEDULE.

(Description of the Area of Supply.)

The area of supply is that portion of the town which is included within the following boundaries, namely:—

On the north.—Malle Panchghora, Hooghly Road (from Naskurpara Lane), Chundalpara Lane, and Joya Bibi's Lane.

On the east.—The river Hooghly.

On the south.—Foreshore Road and the Government Botanical Garden.

On the west.—Dane Chake Lane, Currus Road, Circular Road, Buxara road, Brojo Nath Lahary's Lane, Chowdrypara Lane, Circular Road, Kalli Chand Nondy Lane, Bantra Road, Kanlapokur Lane, Lukien Chakurbut Lane, Belgachi Road, Benares Road, and the East Indian Railway line.

SECOND SCHEDULE.

(List of Streets, and parts of Streets, throughout which the undertakers are to lay down suitable and sufficient distributing mains for the purposes of general supply within a period of two years after the commencement of this license.)

Grierson Road.
Chandmaree Road.
Cullen Place.
Ross Road (from Cullen Place to Dobson Road).
Dobson Road (from Ross Road to Golabaree Road).
King's Road.
Rose Mary Lane.
Watkins Lane.
Salt Gola Lane.

Howrah Road.
Grand Trunk Road (from Ross Road to Sibpur Road).
Church Road.
Buckland Road.
Telkul Ghât Road.
Strand Road.
Panchanundtolla Road.
Foreshore Road (from the Round Tank to Sibpur Road).

THIRD SCHEDULE.

(List of Streets not repairable by the Local Government, or by the local authority: also Railways and Tramways which may be broken up by the undertakers in pursuance of the special powers granted by this license)

(a) Streets.—All the streets for which powers are granted are repairable by the local authority except the Grand Trunk Road, which is repairable by the Local Government.

(b) Railways.—* East Indian Railway, Bengal-Nagpur Railway, Port Commissioners' Railway, and Howrah-Amta and Howrah-Sheakhala Light Railways.

(c) Tramway.—

FOURTH SCHEDULE.

The term "unit," as used in this schedule, shall be deemed to mean the energy contained in a current of one thousand amperes flowing under an electro-motive force of one volt during one hour.

Section 1.

Where the undertakers charge any consumer by the actual quantity of energy supplied to him, they shall be entitled to charge him at the following rates per quarter: For any quantity up to twenty units, rupees twenty only, and for each unit over twenty units, twelve annas only.

Section 2.

Where the undertakers charge any consumer by the electrical quantity contained in the supply given to him, they shall be entitled to charge him according to the rates set forth in section 1 of this schedule, the quantity of energy supplied to him being taken to be the product of such electrical quantity and the standard pressure at the point of junction of the distributing mains and the service lines by which he is supplied:

Provided that, where the undertakers' system involves a transformation of the energy supplied on the consumers' premises, the quantity of energy supplied to him may be taken to be the product of such electrical quantity and the standard pressure on the undertakers' mains, divided by the number expressing the ratio of the transformation employed.

Section 3.

Where the undertakers charge any consumer by the number of hours during which he actually uses his supply, they shall be entitled to charge him at the rates specified in section 2 of this schedule, the quantity of energy supplied to him being calculated on the supposition that the consumer uses the maximum power specified by him under the provisions of this license during all the hours that he has used the supply.

* In ordinary cases the level-crossings must be specified; in the case of a light railway or other railway running along the highway on the level, the length and position of the railway must be described.

IRRIGATION DEPARTMENT.

The 28th October 1902.

No. 214.—Notification.—It is hereby notified for general information that under the powers vested in him by sections XI and XII of Act V (B.O.) of 1864, His Honour the Lieutenant-Governor of Bengal proposes to pass the following rules for the management of the line of navigation (approximately 4,870 feet in length) connecting the river Madhumati with the river Noboganga in the Narail subdivision of the district of Jessore and passing through the villages of Telkora and Bordia in the said subdivision and for regulating the conduct of persons employed for any of the purposes of the said Act:—

1. Every vessel on entering the above channel shall be liable to measurement by the officer in charge of the toll station for the purpose of ascertaining the amount of toll to be levied, and shall not be permitted to proceed through the channel unless and until such toll has been paid.

2. The maundage of every vessel, whether laden or empty, shall for the purposes of the Canals Act and of these rules be determined by the following measurements:—

- (a) The product of half the length of the vessel from stem to stern measured along the water line, multiplied by the interior greatest breadth of the vessel and by the depth from the water-line to the bottom of the vessel, shall represent the number of maunds upon which toll shall be levied.
- (b) The measurement of the length is to be made in feet rejecting inches. The measurement of the breadth and depth is to be made in feet and quarters of a foot, rejecting portions of less than a quarter of a foot.
- (c) In the case of rafts the product of length multiplied by the average breadth and depth below water-line shall represent the maundage.
- (d) In calculating the amount of toll to be levied any portion of 100 maunds that is less than 50 maunds shall be omitted, and a fraction exceeding 50 maunds shall be charged as 100 maunds only.

3. No raft shall be admitted into the channel that exceeds 50 feet in length or 5 feet in breadth. No timber, bamboos or grass will be admitted unless securely and compactly bound together in the form of a raft.

4. Every vessel or raft entering the channel shall, on payment of the prescribed toll, be furnished with a ticket. The ticket will specify the date and hour of entry, the maundage of the vessel or raft and the amount of toll paid. It shall also contain the name and residence of the person in charge of the vessel, and shall be signed by the toll-collector issuing it.

5. No vessels whatever except such as are employed on works connected with the maintenance or improvement of the channel shall be exempted from payment of toll.

6. Every vessel or raft which has paid toll shall be allowed 6 hours to pass through the channel, and any vessel or raft remaining in any point of the channel longer than the period aforesaid shall, for each day, or part of a day, in excess of such period be liable to fine under rule 7.

7. Any person infringing any of the above rules or resisting or wilfully interfering with their enforcement shall be liable, under section XI of the Canals Act, to a fine not exceeding Rs. 50 for any one offence.

8. The Supervisor shall select sites for the storage of the cargo of boats seized for breach of any of the provisions of the Canals Act.

D. B. HORN,

Secy. to the Govt. of Bengal.

RAILWAY DEPARTMENT.

The 22nd October 1902.

No. 206 R.—Notification.—Babu Akshay Kumar Chaudhuri, Deputy Magistrate and Deputy Collector, whose services have been placed at the disposal of the Public Works Department, is appointed to acquire lands for the Gaya-Asansol Railway in the district of Hazaribagh.

The 27th October 1902.

No. 207 R.—Declaration.—Whereas it appears to the Lieutenant-Governor of Bengal that land is required to be taken by Government at the public expense for a public purpose, viz., for the Kharagpur workshop district brickfield, in the villages of Gokulpur, Umba and Chunpara, pargana Dharnda, zilla Midnapore, it is hereby declared that for the above purpose, a piece of land measuring, more or less, 395 bighas 19 cottahs and 9 chitaks of standard measurement, bounded on the north by the lands of Ajakpur and of Gokulpur, on the south by the khal and the railroad, on the west by the khal and lands of Chunpara and Prithimpur, and on the east by Gokulpur, is required within the aforesaid villages of Gokulpur, Umba and Chunpara.

Mines of coal, iron-stone, slate or other minerals lying under the land, except only such parts of the mines and minerals as it may be necessary to dig or carry away, or use in the construction of the work for the purpose of which the land is being acquired, are not needed.

This declaration is made, under the provisions of section 6, Act I of 1894, and section 3, clause (1), Act XVIII of 1885, to all whom it may concern.

A plan of the land may be inspected in the office of the District Engineer, Kharagpur.

The 28th October 1902.

No. 210 R.—Declaration.—Whereas it appears to the Lieutenant-Governor of Bengal that land is required to be taken by Government at the public expense for a public purpose, viz., for borrow-pits at mile 13 on the Hajipur-Katihar extension of the Bengal and North-Western Railway in the village of Kalyanpur Basti in patties Kalyanpur Nizamat and Harpur or Chouth, pargana Saraisa, zilla Darbhanga, it is hereby declared that for the above purpose a piece of land measuring, more or less, 12 cottahs 9 chitaks of standard measurement, equivalent to 4 cottahs 13 dhors of local measurement, bounded on the north by holdings of Seodhary Ray, Tilak Ray, and Srikant Ojha; on the south by holdings of Jaga Ray and Bansri Ray; on the east by holding of Srikant Ojha, and on the west by railway compound, is required within the aforesaid village of Kalyanpur Basti in patties Kalyanpur Nizamat and Harpur or Chouth.

This declaration is made, under the provisions of section 6 of Act I of 1894, to all whom it may concern.

A plan of the land may be inspected in the office of the Collector of Darbhanga at Laheria Sarai.

No. 211 R.—Declaration.—Whereas it appears to the Lieutenant-Governor of Bengal that land is required to be taken by Government at the public expense for a public purpose, viz., for cutting channel for drawing the water of brickfield in the village of Koya, pargana Kazirhat, zilla Rangpur, it is hereby declared that for the above purpose, a piece of land measuring, more or less, 1 bigha 5 cottahs and 4.50 chitaks of standard measurement, bounded on the north and

south by Dukhi Boshnia's Jote, on the east by Railway brickfield, and on the west by Koratia river, is required within the aforesaid village of Koya.

This declaration is made, under the provisions of section 6 of Act I of 1894, to all whom it may concern.

A plan of the land is available for inspection in the office of the Executive Engineer, Saidpur District, Eastern Bengal State Railway.

No. 212R.—Declaration.—Whereas it appears to the Lieutenant-Governor of Bengal that land is required to be taken by Government at the public expense for a public purpose, viz., for alteration of yard at Mankar, East Indian Railway station and diversion of level crossing in the village of Mankar, pargana Gopebhum, zilla Burdwan, it is hereby declared that for the above purpose pieces of land measuring, more or less, 7 bighas 4 cottahs and 8.66 chitaks of standard measurement (corresponding to 2 acres 1 rood and 22.26 poles) and bounded as follows:—

Plot No. 1—On the north by the Nutun Pukur tank, the *chakaran* land and the paddy lands of Gostha Behari Mandal, Rakhal Mandal, Rama Nath Knoch and others, on the south and east by the East Indian Railway Company's land and on the west by the Mankar road;

Plot No. 2—On the north by a village road, on the south by the East Indian Railway Company's land, on the east by the Palpukur tank and on the west by the *danga* land of Raksha Kally and the Palpukur tank;

Plot No. 3—On the north and south by the *patil* land of Raj Krista Dikhit, on the east by a village road and on the west by the East Indian Railway Company's land;

Plot No. 4—On the north, east and west by the East Indian Railway Company's land and on the south by the Kalapukur tank;

Plot No. 5—On the north, east and west by the East Indian Railway Company's land and on the south by the paddy lands of Hridaypal, Rakhal Mandal and others;

Plot No. 6—On the north by the East Indian Railway Company's land, on the south and west by the paddy lands of Dinoo Goswami and others and on the east by the road to level crossing No. 93;

are required within the aforesaid village of Mankar.

Mines of coal, iron-stone, slate or other minerals lying under the land, except only such parts of the mines and minerals as it may be necessary to dig or carry away, or use in the construction of the work for the purpose of which the land is being acquired, are not needed.

This declaration is made, under the provisions of section 6 of Act I of 1894, and section 3, clause (1), Act XVIII of 1885, to all whom it may concern.

A plan of the land may be inspected in the office of the Land Acquisition Deputy Collector, Burdwan.

W. A. INGLIS,
Offg. Secy. to the Govt. of Bengal.

MARINE DEPARTMENT.

The 28th October 1902.

No. 133 Marine.—In exercise of the powers conferred by section 68 of the Indian Merchant Shipping Act, 1880, the Lieutenant-Governor is pleased, with the sanction of the Governor-General in Council, to make the following rule in substitution of Rule IX of the Rules for the examination of, and the grant of certificates of competency to, Ship Surveyors at the Port of Calcutta, made under the said section and published under the notification of the General Department of this Government, dated the 5th September 1882:—

Revised Rule IX.

IX. The examination both in writing and *visà voce* should test the candidate's knowledge of the following subjects:—

- (1) The first five rules of Arithmetic, Vulgar and Decimal fractions, the extraction of the square and cube roots, the mensuration of solids and superficies and the application of these rules to questions relating to the stresses and strains to which the various parts of a ship are subject and to the stability and flotation of various bodies.
- (2) English composition, *e. g.*, moderate proficiency or sufficient to draw up an intelligent, clear and comprehensible report of injuries, defects and repairs to vessels.
- (3) Rudiments and principles of shipbuilding in general.
- (4) Construction of different types of vessels, disposition of their component parts, and reason why each part is considered necessary: description of the launching of vessels.
- (5) Qualities of different descriptions of materials used in ship-building.

- (6) Defects, causes and remedies of defects and repairs to vessels: mode of determining in case of accident the amount of damage done to a ship's hull and the parts affected thereby, specifying in detail the repairs required to be done, the rotation in which they should be taken in hand, and whether it would be necessary to dock the ship for the purpose of effecting the same.
- (7) Disposition of the fittings of a vessel, such as masts and yards, windlass, capstan, winches, pumps, bitts, steering gear, including all rudder fittings, and all others, external and internal, describing the manner in which they are secured to the hull; the removal of and repair to masts and spars injured or carried away by accident.
- (8) Equipment of a vessel, such as sails, rigging boats, life-buoys and belts, fire-engines, hoses, anchors and cables, hawsers and warps, day and night signals, lights, fog and distress signals, and stores.
- (9) Specification of different parts of ships, sizes and description of fastenings and rivets used in constructing ships and estimates for same.
- (10) Calculation of tonnage of ships—
 - (a) By builders, or old measurement.
 - (b) By register, or new measurement.
- (11) Calculation of displacement of ships, and the effect on the trim and stability of vessels by the disposal of weights in different positions, and also of determining the increased or decreased immersion which would be caused by the addition or removal of weights at the different draughts of water the vessel may be immersed to.
- (12) Stowage, dunnage and ventilation of hold and cargo.
- (13) Definitions of terms generally used in relation to ships and ship-building.
- (14) Causes of spontaneous combustion and the formation of explosive gases in the holds of vessels and the proper precautionary measures to prevent accidents from these causes.

NOTE.—The term "Ship" or "Vessel" used in the foregoing rule includes iron, steel, wood and composite built vessels

D. B. HORN,

Secy. to the Govt. of Bengal.

SUBORDINATE CIVIL SERVICE.

No. 4215A.

No. 4145A.—The 28th October 1902.—Under the authority vested in him by section 357, sub-section 2, of the Code of Criminal Procedure, Act V of 1898, the Lieutenant-Governor empowers Babu Jotindra Kumar Roy, substantive *pro tempore* Sub-Deputy Magistrate, Diamond Harbour, 24-Parganas, to take down evidence in criminal cases in the English language.

No. 4149A.—The 28th October 1902.—Babu Bhuban Mohun Gupta, Sub-Deputy Collector, 24-Parganas, is allowed leave for one month and fifteen days, under article 291 of the Civil Service Regulations, with effect from the 1st November 1902.

C. E. BUCKLAND,

Chief Secy. to the Govt. of Bengal.

REGISTRATION DEPARTMENT.

No. 4143A.—The 28th October 1902.—Babu Binod Behari De is appointed to act as Rural Sub-Registrar, Jellasore, Balasore, during the absence, on deputation, of Babu Sambhu Nath Prodhan, or until further orders.

C. E. BUCKLAND,

Chief Secy. to the Govt. of Bengal.

JAIL DEPARTMENT.

No. 11959, dated Calcutta, the 22nd October 1902.—Assistant Surgeon Nobin Chundra Dutt made over charge of the Daltonganj Jail to Senior Assistant Surgeon Kunja Lal Sanyal on the afternoon of the 2nd October 1902.

No. 11960, dated Calcutta, the 22nd October 1902.—Assistant Surgeon Gopal Chundra Mukherjee, B.A., M.B., made over charge of the Khulna Jail to Assistant Surgeon Gouri Prosad Bhattacharjee on the afternoon of the 3rd October 1902.

No. 12207, dated Calcutta, the 27th October 1902.—Dr. F. W. Twidale made over charge of the Malda Jail to Deputy Collector Babu Nogendra Chunder Sen on the afternoon of the 13th October 1902.

No. 12216, dated Calcutta, the 27th October 1902.—Deputy Collector Babu Nogendra Chunder Sen made over charge of the Malda Jail to Assistant Surgeon Bepin Behary Gupta on the forenoon of the 16th October 1902.

JOHN MULVANY, CAPTAIN, I.M.S.,
Deputy Insp.-General of Jails, Bengal.

CIVIL MEDICAL DEPARTMENT, BENGAL.

No. 3532D., dated Darjeeling, the 20th October 1902.—Assistant Surgeon Annada Prosad Ghosh of the Chanchal Dispensary, in the Malda district, is allowed privilege leave for three months under article 291 of the Civil Service Regulations, with effect from such date as he may avail himself of it.

No. 3574D., dated Darjeeling, the 22nd October 1902.—Assistant Surgeon Amrita Lal Dass, Teacher of Medicine in the Campbell Medical School, Calcutta, is appointed to the Hooghly Imambarah Hospital, *vice* Assistant Surgeon Kali Prasanna Kumar, transferred.

No. 3578D., dated Darjeeling, the 22nd October 1902.—Assistant Surgeon Kali Prasanna Kumar, of the Hooghly Imambarah Hospital, is appointed as Teacher of Medicine in the Campbell Medical School, Calcutta, *vice* Assistant Surgeon Amrita Lal Dass, transferred.

No. 3587D., dated Darjeeling, the 22nd October 1902.—The following Civil Hospital Assistants are promoted to the grades noted against their names:—

Present grade.	Name.	Grade to which promoted.	With effect from	REMARKS.
1st	Prosunno Kumar Sarkar	Senior ...	1st January 1902	
1st	Kamini Kumar Guha	Do. ...	1st " "	
1st	Nobin Chunder Sen	Do. ...	1st " "	
1st	Nibarun Chunder Mukerjee	Do. ...	1st " "	
1st	Bhubun Mohun Pramanick	Do. ...	1st " "	
1st	Hurry Har Gupta	Do. ...	1st July "	
2nd	Juggun Mohun Rout	First ...	19th February "	

T. H. HENDLEY, COL., I.M.S.,
Insp.-General of Civil Hospitals, Bengal.

HIGH COURT NOTICE.

NOTIFICATION.

Dated Calcutta, the 27th October 1902.

BABU SURJA NARAYAN DAS, Munsif of Malda, in the district of Rajshahi, is appointed to be a District Delegate under section 235A of Act X of 1865 and section 52 of Act V of 1881, respectively, within the local limits of the administrative district of Malda.

By order of the High Court,

R. SHEEPSHANKS,
Registrar.

HIGH COURT, ENGLISH DEPT., CIVIL, the 27th October 1902.

Sheriff's Office, the 17th September 1902.

NOTICE is hereby given that the Fifth Criminal Sessions of the year 1902 of the High Court of Judicature at Fort William in Bengal, for the Town of Calcutta and Factory of Fort William, and the places subordinate thereto, will be held at the Court-house, in the Town of Calcutta, on Monday, the first day of December next, at 11 o'clock in the forenoon, and thence forward from day to day until the said Sessions be over. And it is hereby proclaimed that all persons who are to prosecute any of the prisoners to be brought up for trial at the said Sessions be present then and there to prosecute.

H. M. RUSTOMJEE, Sheriff.

সরকারি আকিস, সন ১৯০২ সাল তারিখ ১৭ই সেপ্টেম্বর।

সকলকে সমাচার দেওয়া যাইতেছে যে হুবে বাঙ্গালার কোর্ট উইলিয়ম দুর্গের অধীন শহর কলিকাতার ও অন্যান্য স্থানের কোর্জদারী বিচার নিষ্পত্তি জন্য আগামী সন ১৯০২ সালের ১লা ডিসেম্বর সোমবার বেলা ১১ ঘটিকার সময় এবং যে পর্যন্ত সেশিয়ানের কার্য শেষ না হয় প্রতিদিন উক্ত সময়ে কলিকাতার হাইকোর্টের আপন আদালত ঘরে সন ১৯০২ সালের পঞ্চম ক্রিমিনেল সেশিয়ান বসিবক এবং এতদ্বারা প্রচার করা যাইতেছে যে, যে সকল ব্যক্তি কোন কয়েদির বিরুদ্ধে কোর্জদারী মিছিল করিবক তাহার উক্ত স্থানে উক্ত সময়ে হাজির থাকিয়া মোকদ্দমা করে ইতি।

এইচ, এম, রস্তুমজী, সরকার।

EDUCATION DEPARTMENT, BENGAL.

Subordinate Educational Service.

The 23rd July 1902.—Babu Kumud Kanta Ukil, B.A., Assistant Head Master of the Taki Government School on a salary of Rs. 40 a month, is appointed to act as an Assistant Master in the Rajshahi Collegiate School and in class VIII, during the absence, on deputation to the Victoria Training College, Kurseong, of Babu Satis Narayan Chaudhuri, or until further orders.

The 20th September 1902.—In modification of the orders of the 27th February 1902, Babu Upendra Narayan Datta Gupta, B.A., then an Assistant Master in the Balasore Zilla School, and now an Assistant Master in the Cuttack Training School (class VI), was absent on special leave for training in the Kurseong Training College from the 25th February 1902 to the 13th July 1902, both days inclusive.

The 20th October 1902.—Babu Dhanush Dhari Prasad Singh, M.A., Assistant Master, Behar School of Engineering (class VIII), on leave, is appointed to act as Assistant Head Master of the Purnea Zilla School on the pay of his own grade, during the absence, on medical leave, of Maulvi Mir Sajjad Ali, or until further orders.

This cancels the orders of the 3rd September 1902, appointing Babu Shiva Nandan Sahai, B.A., Assistant Master in the Muzaffarpur Zilla School, to act as Assistant Head Master of the Purnea Zilla School, and Babu Dhanush Dhari Prasad Singh to act as an Assistant Master in the Muzaffarpur Zilla School.

The 24th October 1902.—Babu Asvini Kumar Banerjee, a Sub-Inspector of Schools, under the District Board of Mymensingh (class VII), was granted by the Board medical leave for one month, with effect from the 14th September 1902.

The 25th October 1902.—Babu Bhubaneswar Gupta, then Deputy Inspector of Schools, Faridpur, and now Deputy Inspector of Schools, Rajshahi (class II), was absent on leave for two months under article 371 of the Civil Service Regulations, in continuation of the leave granted to him under the orders of the 25th February 1902.

A. PEDLER,

Director of Public Instruction, Bengal.

NOTIFICATION.

It is hereby notified for general information that upon the result of the Entrance Examination to be held in 1903 being known, the five third grade junior scholarships allotted to the Chittagong Division will be distributed as follows:—

Tippera ...	... 2	Chittagong ...	1
Noakhali ...	... 1	Chittagong Hill Tracts ...	1

In the event of the scholarship allotted to the Chittagong Hill Tracts not being taken up by an aboriginal candidate, it may be awarded to an eligible candidate of other creed or district, backward races having a preferential claim.

R. S. GREENSHIELDS, Offg. Commissioner.

COMMR.'S OFFICE, CHITTAGONG, the 22nd October 1902.

NOTIFICATION.

It is hereby notified for general information that, upon the result of the Entrance Examination of 1903 being known, the five second grade junior scholarships allotted to the Dacca Division will be awarded to the first five boys in the Divisional list without reference to districts, and the eleven third grade scholarships will be distributed as follows:—

Dacca	district	...	...	...	4
Mymensingh	do.	...	...	...	2
Faridpur	do.	...	...	...	3
Backergunge	do.	...	...	...	2
Total					11

H. M. KISCH, *Commissioner.*

Dacca Commr.'s Office, the 24th October 1902.

NOTIFICATIONS OF THE BOARD OF REVENUE.

No. 2779B.

NOTICE is hereby given that the Twelfth Sale of Opium, the Provision of 1900-1901, will be held at the Government Opium Sale-room, No. 2 Bankshall Street, on Monday, the 1st December 1902, at 11 A.M., and will comprise 4,000 chests, viz.:—

Opium manufactured at the Patna Factory, consisting of	...	Chests.	2,000
Ditto ditto at the Ghazipur Factory, consisting of	...	...	2,000
Total			4,000

2nd.—The general conditions of the sale now advertised will be the same as usual. They may be ascertained by reference to the Notification issued on the 19th November 1901, and published in the *Government and Exchange Gazettes*, or on personal application at the Office of the Board of Revenue.

3rd.—The latest dates for deposit and clearance will be the 6th and 16th December 1902, respectively, that is to say, no Bank of Bengal Receipts, Government Promissory Notes, or other public securities that may be tendered for deposit in redemption of Promissory Notes given by purchasers in the sale-room will be received after 1-30 P.M. of Saturday, the 6th December 1902, and no Bank of Bengal Receipts in full payment of lots will be accepted after 3-30 P.M. of Tuesday, the 16th December 1902.

By order of the Board of Revenue, L. P.,

H. WHEELER, *Secretary.*

BOARD OF REVENUE, L. P., CALCUTTA, the 28th October 1902.

No. 2587B.

NOTICE is hereby given that the Eleventh Sale of Opium, the Provision of 1900-1901, will be held at the Government Opium Sale-room, No. 2, Bankshall Street, on Monday, the 3rd November 1902, at 11 A.M., and will comprise 4,000 chests, viz.:—

Opium manufactured at the Patna Factory, consisting of	...	Chests.	2,000
Ditto at the Ghazipur Factory, ditto	...	...	2,000
Total			4,000

2nd.—The general conditions of the sale now advertised will be the same as usual. They may be ascertained by reference to the notification issued on the 19th November 1901, and published in the *Government and Exchange Gazettes*, or on personal application at the office of the Board of Revenue.

3rd.—The latest dates for deposit and clearance will be the 8th and 18th November 1902, respectively, that is to say, no Bank of Bengal Receipts, Government Promissory Notes or other Public Securities that may be tendered for deposit in redemption of Promissory Notes given by purchasers in the sale-room will be received after 1-30 P.M. of Saturday, the 8th November 1902, and no Bank of Bengal Receipts in full payment of lots will be accepted after 3-30 P.M. of Tuesday, the 18th November 1902.

4th.—In addition to the quantity above advertised for sale, the following quantities, more or less, of the opium manufactured at the Patna and Ghazipur Factories will be brought to sale in December next on or about the date specified below. The Board of Revenue, however, reserve to themselves the right of altering the date, should circumstances render it expedient to do so :—

DATE.	Manufactured at the Patna Factory ; about chests.	Manufactured at the Ghazipur Factory ; about chests.	Total ; about chests.
On or about Monday, 1st December 1902 ...	2,000	2,000	4,000

By order of the Board of Revenue, L. P.,

H. WHEELER, Secretary.

BOARD OF REVENUE, L. P., CALCUTTA, the 26th September 1902.

Statement showing the quantity of salt (private property) in bonded warehouses and afloat on the river Hooghly on the 15th day of October 1902, and transactions during the half month from the 1st to the 15th October 1902.

DESCRIPTION OF SALT.	IN BONDED WAREHOUSES IN CALCUTTA.				Quantity afloat.	Grand Total.	TRANSACTIONS DURING HALF MONTH FROM THE 1st TO THE 15th OCTOBER 1902, INCLUSIVE.			
	In private golahs.	In Sulkea Government golahs.	In Kidderpore Dock Government golahs.	Total.			Quantity on which duty has been paid.	Manifested quantity arrived in the Port of Calcutta.	Deliveries from shipboard for consumption and for inland bonded warehouses.	Deliveries from bonded warehouses for consumption and for inland bonded warehouses.
1	2	3	4	5	6	7	8	9	10	11
United Kingdom—		Mds.	Mds.	Mds.	Mds.	Mds.	Mds.	Mds.	Mds.	Mds.
Liverpool and other panga salt.		8,60,681	8,62,313	17,31,994	45,022	17,77,016	1,14,965	2,71,642	60,147	1,12,613
Other European countries—										
Hamburg salt		55,684	.....	55,684	.....	55,684	38,820	26,924	26,660	18,286
Aden and Red Sea—										
Aden salt		2,48,220	.....	2,48,220	.....	2,48,220	38,251	.....	.....	44,637
Salit		3,08,319	.....	3,08,319	.....	3,08,319	43,780	.....	.....	96,979
„ rock salt		9,492	.....	9,492	.....	9,492	.....	.....	.....	600
Kawayah		2,18,826	48,370	2,67,196	.....	2,67,196	36,598	.....	.....	37,327
Muscat and Persian Gulf—										
Muscat, Linga and Hanjam salt.		1,24,851	.....	1,24,851	33,500	1,58,351	16,000	.....	10,000	2,200
Ditto		6,117	.....	6,117	500	6,617	.....	.....	.....	.....
Rock salt.										
British India—										
Bombay salt		66,514	.....	66,514	.....	66,514	18,649*	.....	.....	21,021
Madras										
Ococonada										
Vizagapatam										
Other places—										
Madagascar salt										
Port Said		75,295	.....	75,295	.....	75,295	3,800	.....	.....	3,460
Total		19,82,999	9,10,683	28,93,682	79,022	29,72,704	5,06,806	2,98,466	66,747	2,85,454

* This quantity includes 12,023 maunds 20 seers Bombay Karkach salt on which duty was paid at Bombay.

By order of the Board of Revenue, L. P.,

L. F. MORSEHEAD, Offg. Collector of Customs.

CALCUTTA CUSTOM HOUSE, the 24th October 1902.

ELECTION OF MUNICIPAL COMMISSIONERS.

NOTIFICATION.

It is hereby notified, for general information, that at the bye-election held on Saturday, the 27th September 1902, in Ward No. II of the Barasat Municipality, in the district of the 24-Parganas, Babu Surendra Nath Mitra was duly elected to be a Commissioner for that ward in the place of Babu Hari Nath Sen, deceased.

M. FINUCANE, *Commissioner*.

COMMR.'S OFFICE, PRESIDENCY DIVISION, CALCUTTA, the 21st October 1902.

NOTIFICATION.

UNDER rule 21 (b) of the Manual of Rules for the management of Charitable Hospitals and Dispensaries, Babu Kunja Behari Sircar, Pleader, Dr. Promatho Nath De, L.M.S., and Maulvi Syed Majibar Rahaman, senior Deputy Magistrate, are hereby appointed to be additional members of the Managing Committee for the management of the Dispensary at English Bazar, in the district of Malda, in places of Babus Sures Chandra Singha, Braja Lal Chatterjee and Sures Chandra Chatterjee, resigned.

H. C. WILLIAMS, *Commissioner*.

COMMR.'S OFFICE, BHAGALPUR, the 4th October 1902.

NOTIFICATION.

IN supersession of the notification published at page 741, Part I of the *Calcutta Gazette* of the 2nd June 1897, it is hereby notified for general information that, under rule 21 (b) of the Dispensary Manual, the following gentlemen have been appointed members of the Committee formed for the management of the Puri Pilgrim Hospital, in the district of Puri:—

- | | |
|---|-----------------------|
| (1) The Magistrate and Collector, Puri. | } <i>Ex-officio</i> . |
| (2) The Civil Surgeon of Puri. | |
| (3) Mahant Raghunandan Ramanuj Das of Emar Math. | |
| (4) Babu Harihar Ghosh, Mooktear. | |
| (5) The District Engineer, Puri, <i>ex-officio</i> . | |
| (6) Babu Haris Chandra Ghosh, Pleader. | |
| (7) Chaudhury Kulamoni Das, Zamindar and Honorary Magistrate. | |

K. G. GUPTA, *Commissioner*.

ORISSA COMMR.'S OFFICE, CUTTACK, the 20th October 1902.

NOTIFICATION.

It is hereby notified for general information that, under rule 21 (b) of the Dispensary Manual, the following gentlemen have been appointed members of the Committee formed for the management of the Bhubaneswar Dispensary, in the district of Puri:—

- | | |
|---|--|
| (1) The Civil Medical Officer, <i>ex-officio</i> . | |
| (2) Mahanta Govind Chandra Bharti Goswami. | |
| (3) Babu Kasinath Misra, Sub-Inspector of Police. | |
| (4) " Brajabundhu Das, local Kanungo, <i>ex-officio</i> . | } Managing Trustees of Bhubaneswar Temple. |
| (5) " Priyanath Chatterjee, | |
| (6) Choudhury Kritibas Das, | |

K. G. GUPTA, *Commissioner*.

ORISSA COMMR.'S OFFICE, CUTTACK, the 20th October 1902.

NOTIFICATION.

It is hereby notified, for general information, that under rule 21, clause (b) of the Dispensary Manual, the following gentlemen have been appointed to be members of the Committee for the management of the dispensary at Masaurhi in the district of Patna:—

- | | |
|--------------------------------------|-----------------------|
| (1) The Chairman, Local Road, Sadar. | } <i>Ex-officio</i> . |
| (2) The Civil Surgeon of Patna. | |
| (3) Maulvi Zahurul Hak. | |
| (4) Babu Kuldip Sahai. | |
| (5) Maulvi Syed Abdul Hai. | |

BRIJ BANSI SAHAY, *Personl. Asst. to Commissioner, for Offg. Commissioner*.

PATNA COMMR.'S OFFICE, BANKIPORE, the 21st October 1902.

NOTIFICATION.

It is hereby notified for general information, under rule 21 (b) of the Rules for Hospitals and Dispensaries, that the Backergunge District Board, at a meeting held on the 27th September 1902, appointed Babu Chandi Charan Chakravarti to be a member of the Muladi Dispensary Managing Committee *vice* Babu Radha Charan Majumdar, deceased.

GUNGA NARAIN ROY, *Persnl. Asst.*, for *Commissioner*.

DACCA COMM. 'S OFFICE, *the 23rd October 1902.*



The Calcutta Gazette.

WEDNESDAY, NOVEMBER 5, 1902.

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PART I

Orders and Notifications by the Lieutenant-Governor of Bengal,
the High Court, Government Treasury, &c.

ORDERS BY THE LIEUT.-GOVERNOR OF BENGAL.

No. 4379A.

APPOINTMENTS AND TRANSFERS.

GENERAL.—No. 4244A.—The 31st October 1902.—Babu Opendra Chunder Mozoomdar, Deputy Magistrate and Deputy Collector, is posted to the head-quarters station of the Mymensingh district.

Mymensingh.

No. 4271A.—The 1st November 1902.—Mr. S. H. Counsell, substantive *pro tempore* Deputy Magistrate and Deputy Collector, Howrah, is transferred to the head-quarters station of the Hooghly district.

Howrah.

Hooghly.

No. 4273A.—The 1st November 1902.—Babu Sasibhusan Basu, Deputy Magistrate and Deputy Collector, Hooghly, is appointed to have charge of the Nator subdivision of the Rajshahi district.

Hooghly.

Rajshahi.

No. 4275A.—The 1st November 1902.—Babu Nibaran Chandra Ghattak, Deputy Magistrate and Deputy Collector, Nator, Rajshahi, is transferred to the head-quarters station of the Howrah district.

Rajshahi.

Howrah.

- No. 4279A.—The 3rd November 1902.**—Mr. R. R. Garlick, Assistant Magistrate and Collector, Dacca, is transferred to the head-quarters station of the Birbhum district.
- No. 4293A.—The 4th November 1902.**—The services of Mr. H. M. Kisch, I.C.S., are placed temporarily at the disposal of the Government of India in the Home Department, with effect from the date on which he may make over charge of his present appointment as Officiating Commissioner of the Dacca Division.
- No. 4296A.—The 4th November 1902.**—Mr. J. T. Rankin, Officiating Magistrate and Collector, Dacca, is appointed to act temporarily as Commissioner of the Dacca Division.
- No. 4298A.—The 4th November 1902.**—Mr. M. F. Gauntlett, Joint-Magistrate and Deputy Collector, Dacca, is appointed to act temporarily as Magistrate and Collector of that district, *vice* Mr. J. T. Rankin.
- No. 4300A.—The 4th November 1902.**—Maulvi Mahmud-ul-Nabi, Deputy Magistrate and Deputy Collector, Nadia, under orders of transfer to Kalna, in the district of Burdwan, is appointed temporarily to have charge of the Meherpur subdivision of the Nadia district.
- No. 4375A.—The 4th November 1902.**—Maulvi Syed Ali Hasan, Deputy Magistrate and Deputy Collector, on leave, is posted to the head-quarters station of the Tippera district.
- This cancels the order of the 10th October 1902, transferring Babu Bhobataran Chatterjea, Deputy Magistrate and Deputy Collector, Kurigaon, Rangpur, to the head-quarters station of the Tippera district.
- POLICE.—No. 4311A.—The 4th November 1902.**—Mr. A. V. Knyvett, Deputy Inspector-General of Police, Northern and Western Range, is appointed to act as Inspector-General of Police, Lower Provinces, during the absence, on deputation, of Mr. R. W. Carlyle, C.I.E., or until further orders.
- No. 4327A.—The 4th November 1902.**—Mr. R. W. Carlyle, C.I.E., Officiating Inspector-General of Police, Lower Provinces, is confirmed in that appointment, with effect from the 1st November 1902, *vice* Mr. W. R. Bright, C.S.I., confirmed as Opium Agent, Bihar.
- REGISTRATION.—No. 4248A.—The 31st October 1902.**—Babu Kalipada Banurji, Rural Sub-Registrar, Rampur Hat, Birbhum, acted as Special Sub-Registrar, Birbhum, from the 6th to the 7th August 1902, *vice* Maulvi Ahmed Mohamed, on leave.
- EDUCATION.—No. 4233A.—The 8th October 1902.**—Mr. V. H. Jackson, Temporary Professor, Presidency College, is appointed to act, in addition to his own duties, as Meteorological Reporter to the Government of Bengal, during the absence, on leave, of Mr. O. Little, or until further orders.
- No. 4241A.—The 29th October 1902.**—The following confirmations are sanctioned in the Provincial Educational Service, with effect from the 15th September 1902:—
- Confirmed in Class V.*
- Maulvi Abdul Munim, *vice* Babu Brajendra Kumar Guha, retired.
- Confirmed in Class VI.*
- Babu Baladeva Rama Jha, *vice* Maulvi Abdul Munim.
- Confirmed in Class VII.*
- Babu Rakhal Raj Biswas, *vice* Babu Baladeva Rama Jha.
- OPIUM.—No. 4323A.—The 4th November 1902.**—Mr. W. R. Bright, C.S.I., Officiating Opium Agent, Bihar, is confirmed in that appointment, with effect from the 1st November 1902, *vice* Mr. W. D. Blyth, resigned.
- LEGISLATIVE.—No. 4341A.—The 4th November 1902.**—The services of Mr. F. G. Wigley, Secretary to the Bengal Council and Assistant Secretary to the Government of Bengal, in the Legislative Department, are placed temporarily at the disposal of the Government of India in the Legislative Department.
- ZOOLOGICAL.—No. 4363A.—The 4th November 1902.**—The Hon'ble Mr. C. E. Buckland, C.I.E., is re-appointed to be President of the Committee of Management of the Zoological Garden, Calcutta, with effect from the 1st November 1902.
- JAILS.—No. 4319A.—The 4th November 1902.**—Babu Saroda Prosad Sen, Personal Assistant to the Inspector-General of Jails, Bengal, is appointed to act as Superintendent of Jail Manufactures, Bengal, during the absence, on leave, of Mr. G. A. Davis, or until further orders.

PROMOTIONS.

GENERAL.—No. 4329A.—The 4th November 1902.—The following confirmations, promotions and appointments are sanctioned in the Indian Civil Service, with effect from the 1st November 1902, but the officers concerned will continue to act in higher grades or appointments until further orders:—

Confirmed in the first grade of Magistrates and Collectors.

Mr. H. Luson, *vice* Mr. R. W. Carlyle, C.I.E., confirmed as Inspector-General of Police, Lower Provinces.

Confirmed in the second grade of Magistrates and Collectors.

Mr. N. D. Beatson Bell, *vice* Mr. H. Luson, confirmed in the first grade.

Promoted substantively pro tempore to the second grade of Magistrates and Collectors.

Mr. J. H. Lea, *vice* Mr. N. D. Beatson Bell, confirmed.

Confirmed in the third grade of Magistrates and Collectors.

Mr. H. McPherson, *vice* Mr. N. D. Beatson Bell, confirmed in the second grade.

Appointed substantively pro tempore to the third grade of Magistrates and Collectors.

Mr. J. E. Webster, *vice* Mr. H. McPherson, confirmed.

Confirmed in the first grade of Joint-Magistrates and Deputy Collectors.

Mr. J. J. Platel, *vice* Mr. H. McPherson, confirmed in the third grade of Magistrates and Collectors.

Promoted substantively pro tempore to the first grade of Joint-Magistrates and Deputy Collectors.

Mr. R. C. Hamilton, *vice* Mr. J. J. Platel, confirmed.

Confirmed in the second grade of Joint-Magistrates and Deputy Collectors.

Mr. H. Walmsley, *vice* Mr. J. J. Platel, confirmed in the first grade.

Appointed substantively pro tempore to the second grade of Joint-Magistrates and Deputy Collectors.

Mr. H. W. P. Sarclope, *vice* Mr. H. Walmsley, confirmed.

LEAVE.

GENERAL.—No. 4289A.—The 3rd November 1902.—Mr. C. R. Marriott, I.C.S., has been granted by His Majesty's Secretary of State for India extraordinary leave without allowances for three days, in continuation of the combined leave for six months previously granted to him.

No. 4291A.—The 4th November 1902.—In modification of the order of the 1st September 1902, Babu Shyama Pada Chowdhry, Deputy Magistrate and Deputy Collector, is allowed combined leave for six months, with effect from the 13th August 1902, viz., privilege leave for three months, under Article 264A of the Civil Service Regulations, and furlough for the remaining period, under Article 371 of the Regulations.

No. 4367A.—The 4th November 1902.—Maulvi Syed Mohamed Abul Hayat, substantive *pro tempore* Deputy Magistrate and Deputy Collector, Hooghly, is allowed leave for one month under section 369 (1) of the Civil Service Regulations, in extension of the leave granted to him under the order of the 1st September 1902.

REGISTRATION.—No. 4246A.—The 31st October 1902.—Maulvi Ahmed Mohamed, Special Sub-Registrar, Birbhum, was on leave under Article 294 of the Civil Service Regulations from the 28th July 1902 to the 7th August 1902.

EDUCATION.—No. 4230A.—The 28th October 1902.—Mr. C. Little, Professor, Presidency College, and Meteorological Reporter to the Government of Bengal, is allowed leave for two weeks under Article 291 of the Civil Service Regulations, with effect from the 27th October 1902, or any subsequent date on which he may avail himself of it.

JAILS.—No. 4317A.—The 4th November 1902.—Mr. G. A. Davis, Superintendent of Jail Manufactures, Bengal, who is now officiating as Superintendent of the Alipore Central Jail in addition to his own duties, is allowed combined leave for ten months, viz., privilege leave for three months, under Article 264A of the Civil Service Regulations, with effect from the 7th November 1902, or any subsequent date on which he may be relieved, and furlough for the remaining period, under Article 371 of the Regulations.

POWERS.

- GENERAL.—No. 4258A.—The 1st November 1902.**—Babu Bhabataran Chatterjea, Deputy Collector, Kurigaon, Rangpur, is vested with the powers of a Collector under Act I of 1894 in that subdivision.
- No. 4369A.—The 4th November 1902.**—Babu Nayanjan Bhattacharjee, Deputy Collector, Basirhat, 24-Parganas, is vested with the powers of a Collector under Act I of 1894 in that subdivision.
- No. 4372A.—The 4th November 1902.**—Mr. J. J. Barnville, I.C.S., Subdivisional Officer, Jhenida, Jessore, is vested with the powers of a Collector under Act I of 1894 in that subdivision.

The following orders are republished from the *Assam Gazette* :—

No. 8111G.—The 25th October 1902.—The Chief Commissioner invests Mr. H. L. Thomas, I.C.S., Assistant Commissioner and Magistrate of the first class, with the following powers under the Code of Criminal Procedure (Act V of 1898) :

Power to require security for good behaviour, section 110.

Power to make orders as to local nuisances, etc., under section 133.

No. 8139G.—The 27th October 1902.—Assistant Surgeon Sasanka Mohan Mukharji, in subordinate medical charge of the Silchar Dispensary and Coolie Depot, is transferred to Dhubri, and appointed to the civil medical charge of the Goalpara district, until further orders.

No. 8141G.—The 27th October 1902.—The following is published :—

The undermentioned officer has been granted by His Majesty's Secretary of State for India permission to return to duty, as advised in list dated the 26th September 1902 :

Name.	Service.	Appointment.	Date on which permitted to return.
Mr. F. E. Jackson ...	I.C.S. ...	Assistant Commissioner, Assam	Within period of leave.

No. 8161G.—The 28th October 1902.—Mr. F. J. Needham, C.I.E., Assistant Political Officer, Sadiya, on return from leave, was placed on special duty at Shillong from the 7th to the 27th October 1902, both days inclusive.

No. 8163G.—The 28th October 1902.—Mr. W. J. Reid, I.C.S., Officiating Inspector-General of Police, Jails and Registration, Commissioner of Excise and Superintendent of Stamps, Assam, on relief by Mr. A. W. Davis, I.C.S., is transferred to Sibsagar and appointed to be Deputy Commissioner of that district.

No. 8164G.—The 28th October 1902.—Mr. L. O. Clarke, I.C.S., Officiating Deputy Commissioner, Sibsagar, on relief by Mr. Reid, is transferred to Jorhat as Assistant Commissioner and appointed to the charge of that subdivision.

No. 8165G.—The 28th October 1902.—Mr. J. McSwiney, I.C.S., Assistant Commissioner, Jorhat, is transferred to Dibrugarh as Assistant Commissioner.

No. 4436R.—The 29th October 1902.—Under the provisions of section 133 (1) of the Assam Land and Revenue Regulation, 1886, the Chief Commissioner appoints Mr. L. J. Kershaw, I.C.S., to be a Settlement Officer, under Chapter III of the Regulation, in the district of Sibsagar from the date of assuming charge.

No. 4437R.—The 29th October 1902.—Under the provisions of section 133 (1) of the Assam Land and Revenue Regulation, 1886, the Chief Commissioner appoints Mr. H. C. Barnes, I.C.S., to be a Settlement Officer, under Chapter III of the Regulation, in the district of Kamrup from the date of assuming charge.

No. 243.—The 29th October 1902.—Privilege leave of absence for one month and eight days, under article 291 of the Civil Service Regulations, is granted to Assistant Surgeon Chandra Kumar Dutt, assistant to the Civil Surgeon, Sylhet, with effect from the afternoon of the 16th October 1902.

C. E. BUCKLAND,

Chief Secy. to the Govt. of Bengal.

REVENUE DEPARTMENT.

NOTIFICATIONS.

No. 3616L.R.—The 30th October 1902.—Whereas an application has been made by the proprietors of estate kismat Mohendra Narain in pargana Sandwip, bearing tauzi No. 45, in the district of Noakhali, for a survey and a record of rights in respect of all the lands contained in mauzas (1) Azimpur, (2) Alak Rohaman, (3) Amirabad, (4) Bamia, (5) Boila, (6) Choukatali, (7) Gachua, (8) Haramia, (9) Harishpur, (10) Kalapania, (11) Katghor, (12) Kachiafar, (13) Kamarpur, (14) Mondin, (15) Musapur, (16) Nyamasti, (17) Rohamatpur, (18) Sabid Muhari, (19) Sarikait, (20) Sentoshpur, and (21) Sultanpur, appertaining to their estate above named; and whereas they have agreed to deposit the cost of the operations :

In exercise of the powers conferred upon him by section 101 (2) (a) of the Bengal Tenancy Act, VIII of 1885, as amended by Act III (B.C.) of 1898, the Lieutenant-Governor of Bengal is pleased to order that a survey shall be made and a record of rights prepared in respect of all the lands aforesaid.

The particulars to be recorded in the survey and record of rights shall be the following:—

- (a) The name of each tenant or occupant.
- (b) The class to which each tenant belongs; that is to say, whether he is a tenure-holder, raiyat holding at fixed rates, settled raiyat, occupancy raiyat, non-occupancy raiyat or under-raiyat; and if he is a tenure-holder, whether he is a permanent tenure-holder or not, and whether his rent is liable to enhancement during the continuance of his tenure.
- (c) The situation and quantity and one or more of the boundaries of the land held by each tenant or occupier.
- (d) The name of each tenant's landlord.
- (e) The money-rent payable at the time the record of rights is being prepared, or if a produce-rent, the fact that produce-rent is paid.
- (f) The mode in which that rent has been fixed,—whether by contract, by order of a Court or otherwise.
- (g) If the rent is a gradually increasing rent, the time at which, and the steps by which, it increases.
- (h) The special conditions and incidents, if any, of the tenancy.
- (i) If the land is claimed to be held rent-free, whether or not rent is actually paid, and if not paid, whether or not the occupant is entitled to hold the land without payment of rent, and if so entitled, under what authority.
- (j) The name of each proprietor, with the character and extent of his interest and the situation, quantity, and one or more of the boundaries of the proprietor's private lands, as defined in Chapter XI of the Act.

No. 3637.—*The 28th October 1902*—In the second line of Notification No. 3126L.R., dated the 12th August 1902, published at page 1105, Part I of the *Calcutta Gazette* of the 13th idem, sanctioning the survey and record of rights of a patni tenure appertaining to estate Vishnupur, in the district of Bankura, for 'Debsa-Chandni' read 'Desra-Chandni.'

No. 3680.—*The 3rd November 1902*.—Mohamed Abdul Momen, Sub-Deputy Collector, Backergunge, employed as an Assistant Settlement Officer in Backergunge, is granted privilege leave from the 16th to the 23rd September 1902, both days inclusive, in extension of the leave granted to him in Notification No. 1177T.R., dated the 21st June 1902.

No. 3681.—*The 3rd November 1902*.—The following candidates have passed the Revenue Agents' examination held in August 1902:—

Division.	District.	Name.
Burdwan	Burdwan	1. Atul Chandra Aditya.
		2. Bivuti Bhusan Mozoomdar.
		3. Debendra Lal Dutt.
		4. Muhammed Zillur Rohim.
Presidency	Midnapore	1. Jogendra Nath Brahma.
		2. Prem Chand Mahapatra.
		3. Uma Charan Karak.
		24-Parganas 1. Satish Chandra Mukerjee.
Rajshahi	Murshidabad	1. Dijendra Nath Lahiri.
		2. Nibaran Chandra Mukerjee.
		3. Shyama Pada Gupta.
		Khulna 1. Rash Behari Sen.
Dacca	Dinajpur	1. Raj Chandra Das.
		2. Trailokya Nath Majoomdar.
		Rangpur 1. Basanta Mohan Roy.
		Pabna 1. Surja Kumar Ghose.
Chittagong	Dacca	1. Muzaffar Hossain Chaudhri.
		2. Satis Chandra Guha.
		Mymensingh 1. Debendra Kumar Nag.
		2. Rasaraj De.
	Faridpur	1. Khirode Chandra Chuckerbutty.
		2. Saroda Charan Gangooly.
		Tippera 1. Agni Kumar Das.
		2. Kali Prasanna Banerjee.
	Chittagong	1. Emdad Ali.
		2. Kali Kumar De.

Division.	District.	Name.
Patna	Patna	1. Hanuman Sahai.
		2. Parbhu Narain.
		3. Rajhunandan Prasad.
		4. Ram Sohai Lal.
	Saran	1. Narain Lal.
		2. Nazir Ahmed.
		3. Shaikh Mohammed Hossain.
		4. Abdur Rauf.
	Darbhanga	1. Ashraf Hossain.
		2. Hussan Jan.
		3. Khalil Ahmed.
		4. Muhammed Hossain.
Bhagalpur	Bhagalpur	1. Atul Chandra Sinha.
		2. Ganesh Prasad.
Orissa	Puri	1. Monmotha Nath Banerjee.
		2. Danardan Parija.
Chota Nagpur...	Hazaribagh	1. Gupi Nath Mahanty.
		2. Dacca Lal.

No. 3682.—*The 2nd November 1902.*—Babu Prabodh Chandra Chatterjee, Deputy Magistrate and Deputy Collector, at present employed as an Assistant Settlement Officer, Darbhanga, is granted privilege leave for one week in extension of the leave for two months granted to him in Notification No. 2830 L.R., dated the 28th July 1902.

No. 3683.—*The 3rd November 1902.*—Babu Nilmoni De, Deputy Magistrate and Deputy Collector, now employed as an Assistant Settlement Officer, Darbhanga, is allowed privilege leave for six weeks under Article 291 of the Civil Service Regulations, with effect from the 12th November 1902, or such subsequent date as he may avail himself of it.

No. 3699.—*The 4th November 1902.*—Under section 3 of the Bengal Survey Act, V (B.C.) of 1875, the Lieutenant-Governor of Bengal is pleased to order that a survey and demarcation shall be made of the boundaries of the resumed estate Shaharbari, tauzi No. 1483 of the Murshidabad Collectorate.

W. C. MACPHERSON,
Offg. Secy. to the Govt. of Bengal.

GENERAL DEPARTMENT.

NOTIFICATIONS.

No. 3179.—*The 4th November 1902.*—In exercise of the power conferred by clause (1) of section 18 of the Indian Factories Act, XV of 1881, as amended by section 16 of Act XI of 1891, the Lieutenant-Governor proposes to make the following rules in addition to those published under Notification No. 1315, dated 30th April 1892. These rules will be taken into consideration after a month from the date of the publication of this notification in the *Calcutta Gazette*. Any objections to be preferred against these rules should be addressed to the Secretary to the Government of Bengal in the General Department.

Proposed rules.

Every ring-throistle-frame, flyer-throistle-frame and doubling frame, the tin rollers of which revolve in the usual direction, that is to say, in such a manner as to draw upwards between them any object coming into contact with them from beneath, shall be guarded in the following manner:—

- (i) A guard or guards shall be permanently fixed along the whole length of each side of every such frame, and not farther under the frame than the centre of each leg of the spring pieces. Such guards shall not be removeable by hand, *i.e.*, without the use of tools.
- (ii) These guards should be one or more stout horizontal iron bars or sheets or wooden planks, so placed that the clear vertical space between any two of them, or between the topmost and spindle-rail or between the lowest and the floor, shall in no case exceed 7 inches. If iron bars are used, a sufficient number of uprights should be provided so as to render the bars rigid enough to resist deflection.

- (iii) Whenever under the tail-end of any such frame there is a clear space exceeding 8 inches from the floor, a like guard shall similarly be fixed across that end.
- (iv) Every such frame which may hereafter be erected or re-erected in any mill shall be guarded in the above manner before being brought into use.

No. 3059.—*The 3rd November 1902.*—Babu Satis Chandra Ghose, Honorary Assistant Secretary to the East Bengal Brahma Samaj, and Babu Nepal Chandra Roy, L.M.S., are appointed to be Registrars of Marriages under Act III of 1872, for the district of Dacca, *vice* Babu Rajani Kanta Ghosh, B.A. resigned.

W. C. MACPHERSON,
Offg. Secy. to the Govt. of Bengal.

FINANCIAL DEPARTMENT.

NOTIFICATIONS.

No. 4783F.—*The 31st October 1902.*—In modification of Government order No. 3889F., dated the 12th August 1902, Rai Surendra Nath Mitra, Bahadur, B.A., Registrar of the Financial, Municipal and Accounts Departments, Bengal Secretariat, is granted combined leave for six months, viz., privilege leave for two months and ten days under Article 264A of the Civil Service Regulations and furlough for the remaining period under Article 371 of the Regulations.

No. 4767R.P.—*The 1st November 1902.*—Mr. Wearing, Superintendent of the Darjeeling Company, Limited, Ging Tea estate, is appointed to be a member of the Darjeeling District Road Committee, *vice* Mr. A. G. Pritchard, resigned.

No. 4794Mis.—*The 4th November 1902.*—With reference to the Resolution of the Government of India in the Home Department, No. 2634, dated the 28th August 1902, the Lieutenant-Governor hereby notifies that the offices under the Government of Bengal, and all Revenue and Magisterial Courts in Bengal, with the exception of the offices of the Collector of Customs, the Shipping Master, the Registrar of Assurances, Calcutta, the Collector of Stamp Revenue, Calcutta, the Stamping Department of the Office of the Superintendent of Stamps, Calcutta, and the Salt Rowana and Opium Departments of the Board of Revenue, shall be closed from the 2nd to the 8th January 1903, inclusive, on account of the Imperial Darbar to be held for the purpose of celebrating in India the coronation of their Imperial Majesties King Edward VII, Emperor of India, and Queen Alexandra.

E. W. COLLIN,
Offg. Secy. to the Govt. of Bengal.

MEDICAL DEPARTMENT.

No. 2532Medl.—*The 1st November 1902.*—First-grade Assistant Surgeon Gopal Chunder Mukerjee, in temporary medical charge of Khulna, is allowed privilege leave for three weeks under Article 291 of the Civil Service Regulations, with effect from the date on which he availed himself of it.

No. 2534Medl.—*The 1st November 1902.*—Assistant Surgeon Gouri Prosad Bhattacharjee is appointed temporarily to have medical charge of the civil station of Khulna during the absence, on deputation, of Lieutenant-Colonel R. N. Campbell, L.M.S., or until further orders.

No. 2594Medl.—*The 4th November 1902.*—First-grade Assistant Surgeon Gunga Gobind Sarkar is promoted to the senior grade, with effect from the afternoon of the 5th August 1902, *vice* Senior Assistant Surgeon Abhoya Kumar Sen, retired.

No. 2596Medl.—*The 4th November 1902.*—First-grade Assistant Surgeon Jogendra Nath Ghosh is promoted to the senior grade, with effect from the afternoon of the 11th August 1902, *vice* Senior Assistant Surgeon Eholia Nath Pal, retired.

No. 2602Medl.—*The 4th November 1902.*—Under section 2, Act XXXVI of 1858, the Lieutenant-Governor is pleased to appoint the Hon'ble Mr. H. Elworthy to be a visitor of the European Lunatic Asylum at Bhowanipur, *vice* Mr. G. Irving, deceased.

E. W. COLLIN,
Offg. Secy. to the Govt. of Bengal.

JUDICIAL DEPARTMENT.

No. 4380A.

APPOINTMENTS AND TRANSFERS.

- No. 4286A.—The 3rd November 1902.*—Babu Kumud Nath Roy, M.A., B.L., is appointed to act as a Munsif in the district of Dinajpur, to be ordinarily stationed at Thakurgaon, during the absence, on leave, of Babu Upendra Nath Bhanja, or until further orders.
Dinajpur.
- No. 4302A.—The 4th November 1902.*—Babu Upendra Chandra Ghose, Subordinate Judge, Chittagong, is appointed to be Subordinate Judge, Dacca, *vice* Babu Akshay Kumar Sen, deceased.
Chittagong.
Dacca.
- No. 4307A.—The 4th November 1902.*—Babu Govinda Chandra De, Munsif of Khulna, in the district of Jessore, is appointed to act, until further orders, as Subordinate Judge, Chittagong.
Jessore.
Chittagong.
- No. 4309A.—The 4th November 1902.*—Babu Jnanendra Mohan Das, B.L., is appointed to act as a Munsif in the district of Jessore, to be ordinarily stationed at Khulna, during the absence, on deputation, of Babu Govinda Chandra De, or until further orders.
Jessore.
- No. 4315A.—The 4th November 1902.*—Maulvi Wali Mahomed, B.L., is appointed to act as a Munsif in the district of Purnea, to be ordinarily stationed at Katihar, during the absence, on leave, of Babu Dino Nath Dey, or until further orders.
Purnea.
- No. 4116J.—The 28th October 1902.*—Maulvi Abu Syud Khan is reappointed to be an Honorary Magistrate of the Independent Bench at Sasaram, in the district of Shahabad.
Shahabad.
- No. 4154J.—The 1st November 1902.*—Mahant Jagannath Ramanuja Das and Chowdhuri Kulamani Das are reappointed to be Honorary Magistrates of the Sadar Bench in the district of Puri.
Puri.
- No. 4157J.—The 1st November 1902.*—Babu Lokanath Bidyadher Mahapatra is appointed to be an Honorary Magistrate of the Sadar Bench in the district of Puri.
Puri.
- No. 4164J.—The 1st November 1902.*—Babu Sachindra Kumar Ghosh and Babu Harendra Nath Majumdar are appointed to be Honorary Magistrates of the Independent Bench at Netrakona, in the district of Mymensingh.
Mymensingh.

POWERS.

- No. 4225A.—The 29th October 1902.*—Mr. A. H. Vernède, Assistant Magistrate, Chittagong, is vested with the powers of a Magistrate of the first class.
Chittagong.
- No. 4244A.—The 31st October 1902.*—Babu Opendra Chunder Mozoomdar, Deputy Magistrate, who has, under the order of this date, been posted to the head-quarters station of the Mymensingh district, is vested with the powers of a Magistrate of the third class.
Mymensingh.
- No. 4283A.—The 3rd November 1902.*—Babu Asutosh Ghose, Munsif of Barisal, in the district of Backergunge, is vested with the powers of a Judge of a Court of Small Causes for the trial of suits cognizable by such a Court up to the value of Rs. 100 within the local limits of the Barisal munsifi.
Backergunge.
- No. 4117J.—The 28th October 1902.*—Maulvi Abu Syud Khan, who has been reappointed to be an Honorary Magistrate of the Independent Bench at Sasaram, in the district of Shahabad, is vested with the powers of a Magistrate of the third class.
Shahabad.
- No. 4110J.—The 3rd November 1902.*—Dara Kudr Syed Khakan Mirza, *alias* Budhan Sahib, an Honorary Magistrate of the Lalbagh Independent Bench, in the district of Murshidabad, is vested with the powers of a Magistrate of the second class, and is authorized to sit singly for the trial of such cases as may be made over to him by the Subdivisional Officer.
Murshidabad.
- No. 4155J.—The 1st November 1902.*—Mahant Jagannath Ramanuja Das and Chowdhuri Kulamani Das, who are reappointed to be Honorary Magistrates of the Sadar Bench in the district of Puri, are vested with the powers of a Magistrate of the third class.
Puri.
- No. 4158J.—The 1st November 1902.*—Babu Lokanath Bidyadher Mahapatra, who is appointed to be an Honorary Magistrate of the Sadar Bench in the district of Puri, is vested with the powers of a Magistrate of the third class.
Puri.

No. 4165J.—*The 1st November 1902.*—Babu Sachindra Kumar Ghosh and Babu Harendra Nath Majumdar, who are appointed to be Honorary Magistrates of the Independent Bench at Netrakona, in the district of Mymensingh, are vested with the powers of a Magistrate of the third class.

No. 4167J.—*The 1st November 1902.*—Under the authority vested in him by section 357, sub-section 2 of the Code of Criminal Procedure, Act V of 1898, the Lieutenant-Governor empowers Babu Sachindra Kumar Ghosh and Babu Harendra Nath Majumdar, who are appointed to be Honorary Magistrates of the Independent Bench at Netrakona, in the district of Mymensingh, to take down evidence in criminal cases in the English language.

C. E. BUCKLAND,
Chief Secy. to the Govt. of Bengal.

DECLARATION.

No. 4242J.—*The 4th November 1902.*—Whereas it appears to the Lieutenant-Governor of Bengal that land is required to be taken by Government at the public expense for a public purpose, viz., for a “thana building” in the village of Ghagra, pargana Korame, zilla Ranchi, it is hereby declared that for the above purpose a piece of land measuring, more or less, 13 bighas 10 cottahs and 10½ chitaks of standard measurement, bounded as noted below, is required within the aforesaid village of Ghagra, pargana Korame, zilla Ranchi.

BOUNDARY.

North.—Old road to Burwe and Chainpur.

South.—Kolha Ahir's bari land.

East.—Road to Toto (District Board road) and Biswa Uraon's urid bari.

West.—Village road to dari.

This declaration is made, under the provisions of section 6 of Act I of 1894, to all whom it may concern.

A plan of the land may be inspected in the office of the Deputy Commissioner, Ranchi.

C. E. BUCKLAND,
Chief Secy. to the Govt. of Bengal.

DECLARATION.

No. 4243J.—*The 4th November 1902.*—Whereas it appears to the Lieutenant-Governor of Bengal that land is required to be taken by Government at the public expense for a public purpose, viz., for erecting a “thana building” in the village of Gumla, pargana Panari, zilla Ranchi, it is hereby declared that for the above purpose a piece of land measuring, more or less, 8 bighas 1 cottah and 13 chitaks of standard measurement, bounded as noted below, is required within the aforesaid village of Gumla, pargana Panari, zilla Ranchi:—

North.—Late Baraik Bandhan Singh's done land.

East.—Done lands of Gokhul Singh and Deonath Singh.

South.—Road cess bungalow compound, taur of Gokhul Singh, mango-tope of late Baraik Bandhan Singh.

West.—District Board Road.

This declaration is made, under the provisions of section 6 of Act I of 1894, to all whom it may concern.

A plan of the land may be inspected in the office of the Deputy Commissioner of Ranchi.

C. E. BUCKLAND,
Chief Secy. to the Govt. of Bengal.

PUBLIC WORKS DEPARTMENT.

ESTABLISHMENT.

The 1st November 1902.

No. 216.—This Department Notification No. 206, dated 14th October 1902, transferring Babu Karuna Kumar Dutt Gupta, Apprentice Engineer, from the Upper Rajshahi to the Darjeeling Division, is hereby cancelled.

The 3rd November 1902.

No. 218.—Rai Krishna Chunder Banerji, Bahadur, Officiating Inspector of Works, Bhagalpur Circle, is granted privilege leave for two months under Article 291, Civil Service Regulations, combined with famine concession leave for one month, under the terms of Resolution No. 5217P., dated 16th October 1900, with effect from the 15th November 1902, or such subsequent date as he may be allowed to avail himself of it.

The 4th November 1902.

No. 221.—Mr. P. G. Jacobs, Executive Engineer, second grade, is, on return from leave, appointed Executive Engineer of the Upper Rajshahi Division, until further orders.

W. A. INGLIS,
Offg. Secy. to the Govt. of Bengal.

ESTABLISHMENT.

The 3rd November 1902.

No. 217.—Mr. G. T. Huntingford, Executive Engineer, third grade, temporary rank, Brahmini-Byturni Division, is granted privilege leave for three weeks under Article 291, Civil Service Regulations, with effect from the 8th November 1902, or such subsequent date as he may avail himself of it.

The 4th November 1902.

No. 219.—Babu Saroda Sunder Pal, Executive Engineer, third grade, temporary rank, is transferred in the interests of the public service from the Buxar to the Eastern Sone Division, which he joined on the afternoon of 21st October 1902.

No. 220.—The Lieutenant-Governor is pleased to make the following promotions and reversion in the Engineer establishment, with effect from the dates specified :—

Names.	From—	To—	With effect from—	Nature of promotion.
Bremner, W. S. ...	Executive Engineer, 3rd grade, temporary rank.	Executive Engineer, 3rd grade.	1st October 1902 ...	Permanent.
Arundel-Smith, E. ...	Ditto ...	Ditto ...	1st " " ...	Ditto.
Swarup, Bishan ...	Assistant Engineer, 1st grade, sub. <i>pro tem.</i>	Ditto ...	1st " " ...	Temporary.
Ditto ...	Executive Engineer, 3rd grade, temporary rank.	Assistant Engineer, 1st grade, sub. <i>pro tem.</i>	27th " " ...	Reversion.

D. B. HORN,
Secy. to the Govt. of Bengal.

LOCAL COMMUNICATIONS.

The 4th November 1902.

No. 214 L.C.—*Declaration*.—Whereas it appears to the Lieutenant-Governor of Bengal that land is required to be taken by Government at the public expense for a public purpose, viz., for constructing a feeder road from 4th mile, Nabinagar-Mahoowan road to Nabinagar road railway station, along the eastern edge of railway line, northward to the Goomti or level crossing to the north in the villages of Ghunta, Dhunanwan Khoord, Dhunanwan, and Dighee-Karim, pargana Kootoombeh, zilla Gaya, it is hereby declared that for the above purpose a piece of land measuring, more or less, 69 bighas 12 cottahs and 7·26 chitaks of standard measurement, bounded on the north and south by land of villages Ghunta, Dhunanwan Khoord, Dhunanwan and Dighee-Karim, on the east by road land of Nabinagar-Mahoowan road, on the west by fencing of Nabinagar road railway station belonging to Rai Bepin Behary Mittra, Nand Lal Bose and others, is required within the aforesaid villages of Ghunta, Dhunanwan Khoord, Dhunanwan and Dighee-Karim.

This declaration is made, under the provisions of section 6 of Act I of 1894, to all whom it may concern.

A plan of the land may be inspected in the office of the District Engineer, Gaya.

No. 215 L.C.—*Declaration*.—Whereas it appears to the Lieutenant-Governor of Bengal that land is required to be taken by Government at the public expense for a public purpose, viz., for the construction of a feeder road from Ankorha railway station to Mujheeawan, on 9th mile, Baroom-Nabinagar road, in the villages of Purtappur, Sibbunpur, Koosumha, and Mujheeawan, pargana Kootoombeh, zilla Gaya, it is hereby declared that for the above purpose, a piece of land measuring, more or less, 78 bighas 1 cottah and 8·9 chitaks of standard measurement, bounded on the north and south by land of villages Purtappur, Sibbunpur, Koosumha, and Mujheeawan; on the west by road land of Baroom-Nabinagar road; and on the east by railway fencing of Ankorha railway station compound, belonging to Rai Bepin Behary Mittra, Rai Nund Lal Bose and others, is required within the aforesaid villages of Purtappur, Sibbunpur, Koosumha and Mujheeawan.

This declaration is made, under the provisions of section 6 of Act I of 1894, to all whom it may concern.

A plan of the land may be inspected in the office of the District Engineer, Gaya.

W. A. INGLIS,
Offg. Secy. to the Govt. of Bengal.

[Second Publication.]

IRRIGATION DEPARTMENT.

The 28th October 1902.

No. 214.—Notification.—It is hereby notified for general information that under the powers vested in him by sections XI and XII of Act V (B.O.) of 1864, His Honour the Lieutenant-Governor of Bengal proposes to pass the following rules for the management of the line of navigation (approximately 4,870 feet in length) connecting the river Madhumati with the river Noboganga in the Narail subdivision of the district of Jessore and passing through the villages of Telkora and Bordia in the said subdivision and for regulating the conduct of persons employed for any of the purposes of the said Act:—

1. Every vessel on entering the above channel shall be liable to measurement by the officer in charge of the toll station for the purpose of ascertaining the amount of toll to be levied, and shall not be permitted to proceed through the channel unless and until such toll has been paid.

2. The maundage of every vessel, whether laden or empty, shall for the purposes of the Canals Act and of these rules be determined by the following measurements:—

- (a) The product of half the length of the vessel from stem to stern measured along the water line, multiplied by the interior greatest breadth of the vessel and by the depth from the water-line to the bottom of the vessel, shall represent the number of maunds upon which toll shall be levied.
- (b) The measurement of the length is to be made in feet rejecting inches. The measurement of the breadth and depth is to be made in feet and quarters of a foot, rejecting portions of less than a quarter of a foot.
- (c) In the case of rafts the product of length multiplied by the average breadth and depth below water-line shall represent the maundage.
- (d) In calculating the amount of toll to be levied any portion of 100 maunds that is less than 50 maunds shall be omitted, and a fraction exceeding 50 maunds shall be charged as 100 maunds only.

3. No raft shall be admitted into the channel that exceeds 50 feet in length or 5 feet in breadth. No timber, bamboos or grass will be admitted unless securely and compactly bound together in the form of a raft.

4. Every vessel or raft entering the channel shall, on payment of the prescribed toll, be furnished with a ticket. The ticket will specify the date and hour of entry, the maundage of the vessel or raft and the amount of toll paid. It shall also contain the name and residence of the person in charge of the vessel, and shall be signed by the toll-collector issuing it.

5. No vessels whatever except such as are employed on works connected with the maintenance or improvement of the channel shall be exempted from payment of toll.

6. Every vessel or raft which has paid toll shall be allowed 6 hours to pass through the channel, and any vessel or raft remaining in any point of the channel longer than the period aforesaid shall, for each day, or part of a day, in excess of such period be liable to fine under rule 7.

7. Any person infringing any of the above rules or resisting or wilfully interfering with their enforcement shall be liable, under section XI of the Canals Act, to a fine not exceeding Rs. 50 for any one offence.

8. The Supervisor shall select sites for the storage of the cargo of boats seized for breach of any of the provisions of the Canals Act.

D. B. HORN,

Secy. to the Govt. of Bengal.

RAILWAY DEPARTMENT.

The 4th November 1902.

No. 216R.—Declaration.—Whereas it appears to the Lieutenant-Governor of Bengal that land is required to be taken by Government at the public expense for a public purpose, viz., for a site for a *musjid* for the Mahomedan community in exchange for one situated in mauza Cossipur, within the precincts of the land acquired for the Cossipur-Onitpur terminal improvements, Block IV, Eastern Bengal State Railway, in the village of Cossipur, pargana Dehi Panchannogram, zilla 24-Parganas, it is hereby declared that for the above purpose a piece of land measuring, more or less, 3 cottahs 8 chitaks of standard measurement, bounded on the north and east by tenanted land of late Gopal Lal Seal, on the south by Government land—partly occupied by Government Traffic Office and partly open land, and on the west by Cossipur Road, is required within the aforesaid village of Cossipur.

This declaration is made, under the provisions of section 6 of Act I of 1894, to all whom it may concern.

A plan of the land may be inspected in the office of the Executive Engineer, Construction Division, Eastern Bengal State Railway, Sealdah.

No. 217R.—Declaration.—Whereas it appears to the Lieutenant-Governor of Bengal that land is required to be taken by Government at the public expense for a public purpose, viz., for Midnapur-Jherria Extension, Bengal-Nagpur Railway, Bankura, in the villages of Kusumbani and Gosainbari, pargana Bishenpur, zilla Bankura, it is hereby declared that for the above purpose a piece of land measuring, more or less, 117 bighas 7 cottahs 4·6 chitaks of standard measurement, is required within the aforesaid villages of Kusumbani and Gosainbari.

Mines of coal, iron-stone, slate or other minerals lying under the land, except only such parts of the mines and minerals as it may be necessary to dig or carry away or use in the construction of the works for the purpose of which the land is being acquired, are not needed.

This declaration is made, under the provisions of section 6 of Act I of 1894, and section 3, clause 1 of Act XVIII of 1885, to all whom it may concern.

A plan of the land may be inspected in the office of the District Engineer, Garbetta district, Bengal-Nagpur Railway.

No. 218R.—Declaration.—Whereas it appears to the Lieutenant-Governor of Bengal that land is required to be taken by Government at the public expense for a public purpose, viz., for the Midnapur-Jherria Extension, Bengal-Nagpur Railway, Bankura, in the villages of Ramsagore, Baramagra, Lapora, pargana Bishenpore, zilla Bankura, it is hereby declared that for the above purpose a piece of land measuring, more or less, 88 bighas 3 cottahs 2·1 chitaks of standard measurement, is required within the aforesaid villages of Ramsagore, Baramagra, and Lapora.

Mines of coal, iron-stone, slate or other minerals lying under the land, except only such parts of the mines and minerals as it may be necessary to dig or carry away or use in the construction of the works for the purpose of which the land is being acquired, are not needed.

This declaration is made, under the provisions of section 6 of Act I of 1894, and section 3, clause 1 of Act XVIII of 1885, to all whom it may concern.

A plan of the land may be inspected in the office of the District Engineer, Garbetta district, Bengal-Nagpur Railway.

No. 219R.—Declaration.—Whereas it appears to the Lieutenant-Governor of Bengal that land is required to be taken by Government at the public expense for a public purpose, viz., for the Midnapore-Jherria Extension of the Bengal-Nagpur Railway, in the villages of Partdoba and Lachana, pargana Bishenpur, zilla Bankura, it is hereby declared that for the above purpose a piece of land measuring, more or less, 52 bighas 6 cottahs 14 chitaks of standard measurement, is required within the aforesaid villages of Partdoba and Lachana.

Mines of coal, iron-stone, slate or other minerals lying under the land, except only such parts of the mines and minerals as it may be necessary to dig or carry away or use in the construction of the works for the purpose of which the land is being acquired, are not needed.

This declaration is made, under the provisions of section 6 of Act I of 1894, and section 3, clause 1 of Act XVIII of 1885, to all whom it may concern.

A plan of the land may be inspected in the office of the District Engineer, Garbetta district, Bengal-Nagpur Railway.

No. 220R.—Declaration.—Whereas it appears to the Lieutenant-Governor of Bengal that land is required to be taken by Government at the public expense for a public purpose, viz., for the diversion of the nala near bridge No. 253, mile 98, Midnapur-Jherria extension, Bengal-Nagpur Railway, in the village of Metialspur, pargana Banchas, zilla Manbhum, it is hereby declared that for the above purpose a piece of land measuring, more or less, 3 roods 4 poles, being equivalent to 2 bighas 7 kottas 1 chittak of standard measurement, is required within the aforesaid village of Metialspur.

This declaration is made, under the provisions of section 6 of Act I of 1894, to all whom it may concern.

A plan of the land may be seen in the office of the District Engineer, Adra district, Bengal-Nagpur Railway, at Adra.

No. 221R.—Declaration.—Whereas it appears to the Lieutenant-Governor of Bengal that land is required to be taken by Government at the public expense for a public purpose, viz., for the Eastern Bengal State Railway's dead end and goods shed at Machpara, in the village of Machpara, pargana Belgachi, zilla Faridpur, it is hereby declared that for the above purpose a strip of land measuring, more or less, 6 bighas 8 cottahs 11½ chittaks of standard measurement, bounded on the north by the land belonging to Eastern Bengal State Railway and on the other three sides by the village of Machpara, is required within the aforesaid village of Machpara.

Mines of coal, iron-stone, slate, or other minerals lying under the land, except only such parts of the mines and minerals as it may be necessary to dig or carry away or use in the construction of the work for the purpose of which the land is being acquired, are not needed.

This declaration is made, under the provisions of section 6, Act I of 1894, and section 3, clause (1), Act XVIII of 1885, to all whom it may concern.

The plan of the land is available for inspection in the office of the Executive Engineer, Rajbari district, Eastern Bengal State Railway.

No. 222R.—Declaration.—Whereas it appears to the Lieutenant-Governor of Bengal that land is required to be taken by Government at the public expense for a public purpose, viz., for Asansol additional siding in connection with east end block hut, East Indian Railway, in the village of Asansol, pargana Sherghur, zilla Burdwan, it is hereby declared that for the above purpose a piece of land measuring, more or less, 12 bighas 16 cottahs 10 chittaks of standard measurement (corresponding to 4 acres 38·68 poles), bounded on the north by the paddy lands of Rajoo Chandra, Suchand Roy, and Rakhu Hari Roy, on the south by the land of the East Indian Railway Company, on the east by the homestead lands of Ram Kumar Roy and others and the paddy lands of Rajoo Chandra, and on the west by the land of New Birbhum Coal Company, is required within the aforesaid village of Asansol.

Mines of coal, iron-stone, slate or other minerals lying under the land, except only such parts of the mines and minerals as it may be necessary to dig or carry away, or use in the construction of the work for the purpose of which the land is being acquired, are not needed.

This declaration is made, under the provisions of section 6 of Act I of 1894, and section 3, clause (1), Act XVIII of 1885, to all whom it may concern.

A plan of the land may be inspected in the office of the District Engineer, East Indian Railway, Asansol.

No. 223R.—Declaration.—Whereas it appears to the Lieutenant-Governor of Bengal that land is required to be taken by Government at the public expense for a public purpose, viz., for the construction of station buildings and staff quarters at Gopinagar, Tarkeswar-Magra Light Railway, in the village of Shingharpara, pargana Habili, zilla Hooghly, it is hereby declared that for the above purpose a piece of land measuring, more or less, 8 cottahs and 7·5 square feet of standard measurement (corresponding to 21·11 poles), bounded on the north by Sreenath Ghose's and Bengal Provincial Railway's land, on the south by Woomesh Chandra Chatterjee's and Bengal Provincial Railway's land and public road, on the east by Bengal Provincial Railway's land, and on the west by Woomesh Chandra Chatterjee's land, is required within the aforesaid village of Shingharpara.

This declaration is made, under the provisions of section 6 of Act I of 1894, to all whom it may concern.

A plan of the land may be inspected in the office of the Manager and Engineer, Bengal Provincial Railway Company, Limited, at Magra.

W. A. INGLIS,

Offg. Secy. to the Govt. of Bengal.

[MARINE DEPARTMENT.]

The 30th October 1902.

No. 139 Marine.—Mr. W. H. D. Allison, Junior Master Pilot, is appointed to act as Senior Master Pilot, with effect from the date he is put on the running list.

D. B. HORN,

Secy. to the Govt. of Bengal.

The 30th October 1902.

No. 140 Marine.—Mr. J. Hudson, Mate Pilot, is appointed to act as a Junior Master Pilot, with effect from the date he is put on the running list.

D. B. HORN,

Secy. to the Govt. of Bengal.

The 30th October 1902.

No. 141 Marine.—Mr. F. W. Moore, Mate Pilot, is appointed to act as a Junior Master Pilot, with effect from the date he is put on the running list.

D. B. HORN,

Secy. to the Govt. of Bengal.

The 4th November 1902.

No. 142 Marine.—It is hereby notified, for general information, that Mr. C. J. S. Faulder, Officiating Commissioner of the Chittagong Division, is appointed, under section 9 of the Chittagong Port Commissioners Act, 1887, to be a Commissioner of the Port of Chittagong, *vice* Mr. R. S. Greenshields, resigned.

Mr. Faulder is also appointed, under section 10 of the Act, to be the Chairman of the Commissioners.

D. B. HORN,

Secy. to the Govt. of Bengal.

The 4th November 1902.

No. 143 Marine.—It is hereby notified, for general information, that Hongkong is declared free from plague, and that the regulations for the prevention of the introduction of plague by sea, which were imposed in the Port of Calcutta against vessels arriving from Hongkong are hereby withdrawn.

D. B. HORN,
Secy. to the Govt. of Bengal.

SUBORDINATE CIVIL SERVICE.

No. 4381A.

No. 4369A.—*The 1st November 1902.*—Babu Kedar Nath Banerjee, Sub-Deputy Collector, Vishnupur, Bankura, is allowed leave for one month under article 291 of the Civil Service Regulations, with effect from the date on which he availed himself of it.

No. 4381A.—*The 3rd November 1902.*—Babu Sarada Nunda Das, Sub-Deputy Collector, Bongaon, Jessore, is transferred to the head-quarters station of the Murshidabad district.

No. 4343A.—*The 4th November 1902.*—The following Probationary Sub-Deputy Collectors are appointed substantively *pro tempore* to the fourth grade of Sub-Deputy Collectors, and are posted to the head-quarters stations of the districts mentioned against their names:—

Babu Hari Das Roy	...	...	Hazaribagh.
Maulvi Anwar Karim	...	...	Saran.

They are also vested with the powers of a Magistrate of the third class.

No. 4346A.—*The 4th November 1902.*—The following gentlemen are appointed substantively *pro tempore* to the fourth grade of Sub-Deputy Collectors and are posted to the Divisions mentioned against their names:—

Babu Surjya Kumar Guha, M.A.	...	...	Dacca Division.
„ Madhab Chandra Misra, B.A.	...	...	Presidency Division.
„ Jyotish Chandra Roy, B.A.	...	...	Ditto.
„ Ambu Nath Chatterjee	...	...	Burdwan Division.
„ Birendra Kumar Bose, B.A.	...	...	Bhagalpur Division.
„ Atul Gopal Ray, M.A.	...	...	Dacca Division.
„ Subodh Chandra Mitra, M.A., B.L.	...	...	Chota Nagpur Division.
„ Jatindra Mohan Chattopadhyaya, M.A.	...	...	Burdwan Division.
Mr. Francis Hollow	...	...	Bhagalpur Division.
Babu Aswini Kumar Datta, M.A.	...	...	Rajshahi Division.

They are also vested with the powers of a Magistrate of the third class.

C. E. BUCKLAND,
Chief Secy. to the Govt. of Bengal.

CIVIL MEDICAL DEPARTMENT, BENGAL.

No. 3688D, dated Darjeeling, the 29th October 1902.—Assistant Surgeon Hari Das Mitra of the Patuakhali subdivision and Dispensary, Backergunge district, is temporarily appointed to the Dumraon Raj Hospital, Shahabad district, with effect from the 14th October 1902.

T. H. HENDLEY, COL., I.M.S.,
Inspector-General of Civil Hospitals, Bengal.

TREASURY NOTICE.

UNCOVENANTED DEPUTY COLLECTOR BABU JOGENDRA NATH CHAKRAVARTY has been placed in charge of the Dinajpur Treasury, *vice* Babu Manasa Ranjan Sen, transferred, and is authorised to draw bills on other Treasuries.

C. R. MARINDIN, Commissioner.

COMMR.'S OFFICE, RAJSHAHI DIVN., DARJEELING, the 25th October 1902.

UNCOVENANTED DEPUTY COLLECTOR BABU HARI BHUSHAN DE has been placed in charge of the Monghyr Treasury, and is authorized to draw bills on other treasuries.

H. C. WILLIAMS, Commissioner.

COMMR.'S OFFICE, BHAGALPUR, the 27th October 1902.

HIGH COURT NOTICE.

NOTIFICATION.

THE following Rule passed by the High Court of Judicature at Fort William in Bengal, is published for general information.

By order of the High Court,

R. SHEEPSHANKS,

Registrar.

The 4th November 1902.

HIGH COURT OF JUDICATURE AT FORT WILLIAM IN BENGAL.

(CIVIL APPELLATE JURISDICTION.)

IT IS ORDERED that when immovable property is tendered for the respondent's costs of an appeal to His Majesty in Council, under Section 602 (a) of the Code of Civil Procedure, the bond to be executed by the person giving such security shall be in the form given below: AND IT IS ORDERED that such form of bond be entered as No. 17 (Civil) in Appendix A to "the Rules of the High Court, Calcutta, Appellate Side," published in Part I, page 494 *et seq.* of the *Calcutta Gazette* of the 20th of May 1891.

Form of bond referred to above.

Bond to be executed when immovable property is tendered by an appellant in an appeal to His Majesty in Council as security for the costs of the respondent in such an appeal under Section 602 (a) of the Code of Civil Procedure.

(¹) Here enter name and full address of the Surety.

KNOW ALL MEN by these presents that I, (¹) A, B am bound to C, D, the Registrar of the High Court of Judicature at Fort William in Bengal in its Appellate Jurisdiction, his successors in office and assigns in the sum of Rupees four thousand to be paid to the said C, D as such Registrar as aforesaid, his successors in office and assigns. Sealed with my seal. Dated the day of .

Here enter name and address of the appellant to England.

WHEREAS (²) E, F has presented to the High Court of Judicature at Fort William in Bengal an appeal to His Majesty's Privy Council (No. of) against the judgment and decree of the said High Court in its Appellate Jurisdiction, dated the day of passed in Appeal from ^{Original Decree} ~~Appellate Decree~~ No. of wherein G, H is the appellant and the said E, F is the respondent: AND WHEREAS the said High Court on the day of granted the said E, F a certificate that the case is a fit one for appeal to His Majesty in Council: AND WHEREAS the said E, F as the appellant to England in the said appeal to His Majesty in Council (No. of) is required under clause (a) of Section 602 of the Code of Civil Procedure, to give security for the costs of the respondent to England in the said appeal to His Majesty in Council (No. of), namely, the said G, H: AND WHEREAS I, the said A, B, am possessed of and absolutely entitled to the immovable property, the particulars of which are set forth in the schedule hereunder written, do hereby charge the same as security for the payment to the extent of Rupees four thousand, of the costs that may be awarded to the said respondent to England G, H, by any order of His Majesty in Council or of the said High Court in the said appeal (No. of) preferred by the said E, F to His Majesty's Privy Council as aforesaid.

NOW THE CONDITION of the above written bond or obligation is such that if I, the said A, B, shall pay such costs, to the extent of Rupees four thousand, as may be awarded against me by any order of His Majesty in Council or of the said High Court in the said appeal (No. of) to His Majesty in Council, then the above written bond or obligation shall be void and of no effect and the said immovable property shall, at my cost, be released from this bond or obligation, and that in default of the said costs being paid the same shall be realized by sale of the said immovable property, the sale proceeds thereof to be applied in payment of such costs to the extent of Rupees four thousand, and that until such costs are paid the said immovable property shall remain charged therefor.

Signed, sealed and delivered in the presence of

Schedule referred to above:—

[Here insert full details and description of property.]

By Order of the High Court,

R. SHEEPSHANKS,

Registrar.

The 5th September 1902.

Sheriff's Office, the 17th September 1902.

NOTICE is hereby given that the Fifth Criminal Sessions of the year 1902 of the High Court of Judicature at Fort William in Bengal, for the Town of Calcutta and Factory of Fort William, and the places subordinate thereto, will be held at the Court-house, in the Town of Calcutta, on Monday, the first day of December next, at 11 o'clock in the forenoon, and thence forward from day to day until the said Sessions be over. And it is hereby proclaimed that all persons who are to prosecute any of the prisoners to be brought up for trial at the said Sessions be present then and there to prosecute.

H. M. RUSTOMJEE, *Sheriff*.

সরকারি আফিস, সন ১৯০২ সাল তারিখ ১৭ই সেপ্টেম্বর।

সকলকে সমাচার দেওয়া যাইতেছে যে হুবে বাঙ্গালার কোর্ট উইলিয়ম দুর্গের অধীন শহর কলিকাতার ও অন্যান্য স্থানের কোর্জদারী বিচার নিষ্পত্তি জন্য আগামী সন ১৯০২ সালের ১লা ডিসেম্বর সোমবার বেলা ১১ ঘটিকার সময় এবং যে পর্যন্ত সেশিয়ানের কার্য শেষ না হয় প্রতিদিন উক্ত সময়ে কলিকাতার হাইকোর্টের আপন আদালত ঘরে সন ১৯০২ সালের পঞ্চম ক্রিমিনেল সেশিয়ান বসিবেক এবং এতদ্বারা প্রচার করা যাইতেছে যে, যে সকল ব্যক্তি কোন কয়েদির বিরুদ্ধে কোর্জদারী মিছিল করিবেক তাহারা উক্ত স্থানে উক্ত সময়ে হাজির থাকিয়া যোকদ্দমা করে ইতি।

এইচ, এম, রস্তমজী, সরকারি।

EDUCATION DEPARTMENT, BENGAL.

Subordinate Educational Service.

The 1st August 1902.—Maulvi Zahirul Huq, Officiating Assistant Head Master of the Chittagong Collegiate School (Class VIII), is allowed leave of absence for six months under Article 369 of the Civil Service Regulations, with effect from the 30th June 1902.

Babu Suresh Chandra Mukerjee, an Assistant Master in the Chittagong Collegiate School (Class VIII), is appointed to act as Assistant Head Master of the same institution during the absence, on leave, of Maulvi Zahirul Huq, or until further orders.

The 6th October 1902.—Babu Parmeshwar Singh, a Sub-Inspector of Schools under the District Board of Saran (Class VII), has been granted by the Board leave of absence for four months under Article 369 of the Civil Service Regulations, with effect from the 3rd August 1902.

The 29th October 1902.—The following confirmations and promotions in the Subordinate Educational Service are sanctioned :—

Confirmed in Class III.

Babu Narayan Chandra Mukherjee, B.A., Assistant Head Master, Hare School, with effect from the 1st August 1902, *vice* Babu Nilmani Pal, promoted to Class II.

Munshi Samual Bibhudan Mundle, B.A., Special Deputy Inspector of Schools, Sonthal Parganas, with effect from the 12th September 1902, *vice* Babu Piyari Mohan Chatterji, promoted to Class II.

Promoted substantively pro tempore to Class III.

Babu Rajendra Mohan Datta, Head Master, Anglo-Persian Department, Dacca Madrasah, with effect from the 1st August 1902, *vice* Babu Narayan Chandra Mukherjee.

„ Pramatha Nath Chatterjee, M.A., Deputy Inspector of Schools, Bankura, with effect from the 12th September 1902, *vice* Munshi Samual Bibhudan Mundle.

Confirmed in Class IV.

- Maulvi Muhammad Quasim, an Assistant Master (Persian Teacher), Calcutta Madrasah, with effect from the 1st August 1902, *vice* Babu Narayan Chandra Mukherjea.
- Babu Sarat Chandra Brahmachari, M.A., Deputy Inspector of Schools, Champaran, with effect from the 1st August 1902, *vice* Babu Mati Lal Sarkar, deceased.
- Maulvi Alfazuddin Ahmed, M.A., Deputy Inspector of Schools, Hooghly, with effect from the 1st October 1902, *vice* Babu Suryya Kumar Ray, deceased.
- Babu Kali Kisor Ghosh, Deputy Inspector of Schools, Mymensingh, with effect from the 18th October 1902, *vice* Munshi Samuel Bibhudan Mundle.

Promoted substantively pro tempore to Class IV.

- Babu Amrita Lal Chatterjea, B.A., Assistant Head Master, Murshidabad Nawab's High School, with effect from the 1st August 1902, *vice* Maulvi Muhammad Quasim.
- „ Rajani Nath Gangopadhyay, B.A., Head Master, Gaya Zilla School, with effect from the 1st August 1902, *vice* Babu Sarat Chandra Brahmachari.
- „ Sarada Prasad Banerjea, Additional Deputy Inspector of Schools, Faridpur, with effect from the 1st October 1902, *vice* Maulvi Alfazuddin Ahmed.

Confirmed in Class V.

- Pandit Krishna Pada Vidyaratna, Lecturer on Sanskrit, Hooghly College, with effect from the 1st August 1902, *vice* Maulvi Muhammad Quasim.
- Maulvi Muhammad Ismail, Lecturer on Arabic and Persian, Ravenshaw College, Cuttack, with effect from the 1st August 1902, *vice* Babu Sarat Chandra Brahmachari.
- Pandit Chandra Kanta Vidyalankar, an Assistant Master (Head Pandit), Chittagong Collegiate School, with effect from the 1st October 1902, *vice* Maulvi Alfazuddin Ahmed.

Promoted to Class V.

- Babu Raj Kumar Chakravarti, Sub-Inspector of Schools, Pabna, with effect from the 1st July 1902, *vice* Babu Sarada Prasad Banerjea, retransferred to the Department and appointed to be Additional Deputy Inspector of Schools, Faridpur.
- „ Hara Mohan Raya, Sub-Inspector of Schools, Burdwan, with effect from the 11th September 1902, *vice* Babu Pares Nath De, deceased.
- „ Durga Das Ghosh, Sub-Inspector of Schools, Birbhum, with effect from the 1st October 1902, *vice* Babu Nabin Chandra Kar, retired.
- „ Rajani Kanta Sen, Sub-Inspector of Schools, Mymensingh, with effect from the 18th October 1902, *vice* Babu Kali Kisor Ghosh, retransferred to the Department and appointed to be Deputy Inspector of Schools, Mymensingh.

Promoted substantively pro tempore to Class V.

- Babu Dwarka Nath Bose, an Assistant Master, Dacca Collegiate School, with effect from the 1st August 1902, *vice* Pandit Krishna Pada Vidyaratna.
- Maulvi Abdul Aziz, Lecturer on Arabic and Persian, Dacca College, with effect from the 1st August 1902, *vice* Maulvi Muhammad Ismail.
- Babu Atul Chandra Banerjea, M.A., Assistant Head Master, Dacca Training School, with effect from the 1st October 1902, *vice* Pandit Chandra Kanta Vidyalankar.

Confirmed in Class VI.

- Miss Eleanor Phillips, an Assistant Mistress, Dow Hill Girls' School, with effect from the 1st August 1902, *vice* to fill a new appointment in Class VI.
- Babu Kedar Nath Kulavi, Assistant Head Master, Bankura Zilla School, with effect from the 1st August 1902, *vice* Pandit Krishna Pada Vidyaratna.
- „ Debendra Nath Ghosh, B.A., an Assistant Master, Sanskrit Collegiate School, with effect from the 1st August 1902, *vice* Maulvi Muhammad Ismail.
- Mr. F. D'Silva, an Assistant in the office of the Director of Public Instruction, with effect from the 1st September 1902, *vice* Babu Kanhya Lal, resigned.
- Babu Manmatha Chandra Mitra, B.A., Assistant Head Master, Dumka Zilla School, with effect from the 1st October 1902, *vice* Pandit Chandra Kanta Vidyalankar.

Promoted to Class VI.

- Babu Ram Gobinda Misra, Sub-Inspector of Schools, Rajshahi, with effect from the 1st July 1902, *vice* Babu Raj Kumar Chakravarti.
- „ Kali Prosanna Das, Sub-Inspector of Schools, Faridpur, with effect from the 9th September 1902, *vice* Maulvi Diyanet Husain, retired.
- Maulvi Mohsin Ali, Sub-Inspector of Schools, Midnapore, with effect from the 11th September 1902, *vice* Babu Hara Mohan Raya.
- Babu Damodar Prosad Sarkar, Sub-Inspector of Schools, Pabna, with effect from the 1st October 1902, *vice* Babu Durga Das Ghosh.

Babu Abhay Kumar Gupta, Sub-Inspector of Schools, Dacca, with effect from the 18th October 1902, *vice* Babu Rajani Kanta Sen.

Promoted substantively pro tempore to Class VI.

- Babu Kali Das Banerjee, B.A., an Assistant Master, Hindu School, with effect from the 1st August 1902, *vice* Miss Eleanor Phillips.
 „ Bireswar Das, B.A., Assistant Head Master, Malda Zilla School, with effect from the 1st August 1902, *vice* Babu Kedar Nath Kulavi.
 „ Sidheshwar Ganguli, M.A., an Assistant Master, Hooghly Collegiate School, with effect from the 1st August 1902, *vice* Babu Debendra Nath Ghosh.
 „ Sutto Prasanna Mookerjee, Engineering Drawing Teacher, Government School of Art, and Assistant in the Art Gallery, with effect from the 1st September 1902, *vice* Mr. F. D'Silva.
 „ Surendra Nath Bhattacharjee, M.A., Lecturer on Sanskrit, Ravenshaw College, Cuttack, with effect from the 1st October 1902, *vice* Babu Manmatha Chandra Mitra.

Confirmed in Class VII.

- Babu Baidya Nath Ghoshal, B.A., an Assistant Master, Ravenshaw Collegiate School, Cuttack, with effect from the 1st August 1902, *vice* Miss Eleanor Phillips.
 „ Sasi Bhushan Ghosh, an Assistant Master, Purulia Zilla School, with effect from the 1st August 1902, *vice* Babu Kedar Nath Kulavi.
 Maulvi Hurmutulla, an Assistant Master, Murshidabad Nawab's Madrasah, with effect from the 1st August 1902, *vice* Babu Debendra Nath Ghosh.
 Babu Keshav Chandra Sarkar, B.A., an Assistant Master and now Officiating Assistant Head Master, Hooghly Branch School, with effect from the 1st September 1902, *vice* Mr. F. D'Silva.
 Maulvi Abdul Quadir, M. A., an Assistant Master (Persian Teacher), Patna Collegiate School, with effect from the 1st October 1902, *vice* Babu Manmatha Chandra Mitra.

Promoted to Class VII.

- Maulvi Ishan Ali, an Assistant Master in the Anglo-Persian Department, Calcutta Madrasah, with effect from the 15th October 1902, *vice* Babu Sundar Lal, resigned.

Promoted substantively pro tempore to Class VII.

- Babu Siddheswar Sarkar, B.A., an Assistant Master, Bhagalpur Zilla School, with effect from the 1st August 1902, *vice* Babu Baidya Nath Ghoshal.
 „ Sris Chandra Palit, an Assistant Master (Drawing Master), Murshidabad Nawab's Madrasah and High School, with effect from the 1st August 1902, *vice* Babu Sasi Bhushan Ghosh.
 „ Adya Nath Ray, B.A., an Assistant Master, Dinajpur Zilla School, with effect from the 1st August 1902, *vice* Maulvi Hurmutulla.
 „ Umes Chandra Haldar, M.A., an Assistant Master, Krishnagar Collegiate School, with effect from the 1st September 1902, *vice* Babu Keshav Chandra Sarkar.
 „ Jogendra Nath Bhattacharjee, M.A., an Assistant Master, Hindu School, with effect from the 1st October 1902, *vice* Maulvi Abdul Quadir.

Confirmed in Class VIII.

- Babu Jagadindu Ray, Second Assistant, Physical Laboratory, Presidency College, with effect from the 1st August 1902, *vice* Babu Sasi Bhushan Ghosh.
 „ Jogendra Nath Bose, B.A., an Assistant Master, Darjeeling High School, with effect from the 1st August 1902, *vice* Maulvi Hurmutulla.

A. PEDLER,

Director of Public Instruction, Bengal.

ERRATUM.

Read in statement E, page 2 of the statement of stipend-holders of the Sanskrit first and second examinations published in the *Calcutta Gazette* dated the 17th September 1902, for backward localities, columns 1, 2, 3, 4 and 5, respectively (the fifth name) Joy Krishna Vidyaratna, Krishnapura, Dacca, Mymensingh Dharma Sabha, Rs. 6, for Ramnath Smritikantha, Muktagacha, Mymensingh, Rs. 6, who received a stipend in the second examination.

A. PEDLER,

Director of Public Instruction, Bengal.

Dated 1st November 1902.

NOTIFICATION.

Junior Scholarships for 1903.

It is hereby notified for general information that, in accordance with the Resolution of Government, dated the 30th October 1889, as modified by Government Notification No. 2916, dated the 9th September 1902, five junior scholarships of the second grade and eleven of the third grade have been allotted to the Presidency Division, to be awarded in the University Entrance examination in 1903.

2. The second-grade scholarships will be awarded to those candidates who take the highest places in the Divisional list, irrespective of districts.

3. The third-grade scholarships will be distributed among the different districts of the Presidency Division as follows:—

24-Parganas	...	...	...	3
Nadia	...	...	...	2
Murshidabad	...	...	...	2
Jessore	...	...	...	2
Khulna	...	...	...	2
Total	...	...	...	11

M. FINUCANE, *Commissioner.*

COMM'R'S. OFFICE, PRESIDENCY DIVN., CALCUTTA, the 29th October 1902.

NOTIFICATIONS OF THE BOARD OF REVENUE.

No. 2779B.

NOTICE is hereby given that the Twelfth Sale of Opium, the Provision of 1900-1901, will be held at the Government Opium Sale-room, No. 2 Bankshall Street, on Monday, the 1st December 1902, at 11 A.M., and will comprise 4,000 chests, viz.:—

Opium manufactured at the Patna Factory, consisting of	...	...	Chests.
Ditto ditto at the Ghazipur Factory, consisting of	...	...	2,000
			2,000
Total	...	...	4,000

2nd.—The general conditions of the sale now advertised will be the same as usual. They may be ascertained by reference to the Notification issued on the 19th November 1901, and published in the *Government and Exchange Gazettes*, or on personal application at the Office of the Board of Revenue.

3rd.—The latest dates for deposit and clearance will be the 6th and 16th December 1902, respectively, that is to say, no Bank of Bengal Receipts, Government Promissory Notes, or other public securities that may be tendered for deposit in redemption of Promissory Notes given by purchasers in the sale-room will be received after 1-30 P.M. of Saturday, the 6th December 1902, and no Bank of Bengal Receipts in full payment of lots will be accepted after 3-30 P.M. of Tuesday, the 16th December 1902.

By order of the Board of Revenue, L. P.,

H. WHEELER, *Secretary.*

BOARD OF REVENUE, L. P., CALCUTTA, the 28th October 1902.

ELECTION OF MUNICIPAL COMMISSIONERS.

NOTIFICATION.

MAULVI SAYYAD MUHAMMAD ABUL BARKAT, Rural Sub-Registrar, has been appointed a member of the Managing Committee of the Aurangabad Dispensary in the district of Gaya, vice Shah Muhammad Karim, transferred.

E. F. GROWSE, *Offg. Addl. Commissioner.*

PATNA COMM'R'S. OFFICE, BANKIPORE, the 3rd November 1902.

NOTIFICATION.

It is hereby notified for general information that, under rule 21 (b) of the Rules for the management of Hospitals and Dispensaries under the supervision of the Government of Bengal, Babu Isri Prasad Das is appointed a member of the Committee for the management of the Katihar Charitable Dispensary in the district of Purnea in place of Babu Baikunth Nath Mukherjee, resigned.

H. C. WILLIAMS, *Commissioner*.

COMMR.'S OFFICE, BHAGALPUR, *the 26th October 1902.*

NOTIFICATION.

It is hereby notified for general information that at the bye-election held on Monday, the 29th September 1902, Sheikh Hedayet Ullah was duly elected a Commissioner of the Saran Municipality in the district of Saran, *vice* Sheikh Abdul Rahman, deceased.

E. F. GROWSE, *Offg. Additional Commissioner*.

PATNA COMMR.'S OFFICE, BANKIPORE, *the 28th October 1902.*



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PART I

Orders and Notifications by the Lieutenant-Governor of Bengal, the High Court, Government Treasury, &c.

ORDERS BY THE LIEUT.-GOVERNOR OF BENGAL.

No. 4534A.

APPOINTMENTS AND TRANSFERS.

GENERAL.—No. 4417 A.—The 6th November 1902.—The following Sub-Deputy Collectors are appointed substantively *pro tempore* to the eighth grade of Deputy Magistrates and Deputy Collectors:—

Babu Annada Charan Guha. | Babu Amrita Sikhar Mukherjee.

No. 4449 A.—The 11th November 1902.—Mr. O. R. Marriott, i.c.s., is appointed to be a Magistrate and Collector of the first grade, and to be Magistrate and Collector of Monghyr, with effect from the date on which he joins the appointment.

Monghyr.

Chittagong.
Khulna.

No. 4463 A.—The
Noakhali.
Chittagong.

POLICE.—No. 4461 A.—The 11th November 1902.—Mr. W. D. Abercrombie, District Superintendent of Police, Chittagong, is transferred to Khulna.

11th November 1902.—Mr. R. S. F. Macrae, Officiating District Superintendent of Police, Noakhali, is appointed to act, until further orders, as District Superintendent of Police, Chittagong.

No. 4465A.—The 11th November 1902.—Maulvi Amjad Ali, Khan Bahadur, Officiating District Superintendent of Police, Singhbhum, is appointed to act, until further orders, as District Superintendent of Police, Noakhali.

No. 4467A.—The 11th November 1902.—Maulvi Jannat Hosain Khan, Khan Bahadur, District Superintendent of Police, Balasore, is transferred to Malda on being relieved of his appointment as Officiating District Superintendent of Police, Monghyr.

No. 4469A.—The 11th November 1902.—Mr. A. O. Johnstone, Officiating District Superintendent of Police, Malda, is appointed to act, until further orders, as District Superintendent of Police, Singhbhum.

No. 4471A.—The 11th November 1902.—Mr. F. C. T. Halliday, Assistant Superintendent of Police, on leave, who has, under the order of the 14th October 1902, been appointed to act temporarily as District Superintendent of Police, Burdwan, is appointed to act, until further orders, as District Superintendent of Police, Bankura, on being relieved of his appointment at Burdwan.

No. 4476A.—The 11th November 1902.—Mr. W. A. Knyvett, Probationary Assistant Superintendent of Police, Bhagalpur, is transferred to Hooghly.

No. 4479A.—The 11th November 1902.—Mr. M. L. A. Luffman, Probationary Assistant Superintendent of Police, Bhagalpur, is transferred to Howrah.

No. 4481A.—The 11th November 1902.—Mr. C. A. Tegart, Probationary Assistant Superintendent of Police, Bhagalpur, is appointed to have charge of the Patna City Police.

EDUCATION.—No. 4598A.—The 5th November 1902.—Babu Surendra Kumar Basu, Professor, Civil Engineering College, Sibpur, is appointed to act as Head Master of the Bihar School of Engineering, during the absence, on leave, of Mr. F. Walford, or until further orders.

LEAVE.

GENERAL.—No. 4437A.—The 7th November 1902.—Babu Jotendra Nath Gupta, Deputy Magistrate and Deputy Collector, Purnea, is allowed leave for three months, under article 291 of the Civil Service Regulations, with effect from the date on which he may avail himself of it.

No. 4533A.—The 11th November 1902.—Mr. Birendra Chandra Sen, i.c.s., has been granted by His Majesty's Secretary of State for India, an extension of furlough for four months.

POLICE.—No. 4281J.—The 5th November 1902.—Babu Kristo Charan Banerjee, Superintendent, Calcutta Police, Detective Department, is allowed leave for one month, under articles 291 and 377 of the Civil Service Regulations, in extension of the leave granted to him under the order of the 15th October 1902.

EDUCATION.—No. 4396A.—The 5th November 1902.—Mr. F. Walford, Head Master of the Bihar School of Engineering, is allowed special leave for six months, under article 219, note 2, of the Civil Service Regulations, with effect from the afternoon of the 27th September 1902.

The following orders are republished from the *Assam Gazette* :—

No. 8323G.—The 5th November 1902.—With effect from the 18th October 1902, in consequence of the deputation, on special duty, of Captain H. W. G. Cole, i.s.c., Officiating Deputy Commissioner, second grade—

Mr. F. W. Strong, Officiating Assistant Commissioner, first grade, to officiate as Deputy Commissioner, third grade.

No. 8325G.—The 5th November 1902.—Mr. H. A. C. Colquhoun, i.c.s., Officiating Deputy Commissioner, Naga Hills, on relief by Captain Howell, is retransferred to Manipur as Assistant to the Political Agent in Manipur and Superintendent of the State.

No. 5029J.—The 6th November 1902.—Babu Sri Hari Lahiri, Munsif of Karimganj, in the district of Sylhet, was granted leave of absence for 20 days, under article 306 (b) of the Civil Service Regulations, with effect from the 10th September 1902.

No. 5030J.—The 6th November 1902.—Babu Atul Chandra Das Gupta, M.A., B.L., was appointed to act as Munsif of Karimganj, in the district of Sylhet, during the absence, on leave, of Babu Sri Hari Lahiri, or until further orders.

C. E. BUCKLAND,
Chief Secy. to the Govt. of Bengal.

REVENUE DEPARTMENT.

NOTIFICATIONS.

No. 3804.—The 7th November 1902.—The orders issued in Notification No. 2837, dated the 28th July 1902, published in Part I, page 1053, of the *Calcutta Gazette* of the 30th idem, granting Mr. C. A. Levett-Yeats, Assistant Opium Agent, attached to the Benares Agency, privilege leave for two months, are hereby cancelled.

No. 3826.—The 11th November 1902.—In consequence of the death of Mr. J. Cockburn, Benares Agency. Sub-Deputy Opium Agent, Partabgarh, on the afternoon of the 14th October 1902, Mr. C. J. C. Ricker, Assistant Opium Agent, is appointed, until further orders, to perform the duties of Sub-Deputy Opium Agent, Partabgarh.

No. 3827.—The 11th November 1902.—Mr. F. W. Harris, Assistant Opium Agent, Benares Agency. attached to the Benares Agency, is granted privilege leave for three days, with effect from the forenoon of the 12th July 1902, in extension of the leave granted to him under Notification No. 434T.R., dated the 7th May 1902.

No. 3828.—The 11th November 1902.—Mr. H. Blair, Sub-Deputy Opium Agent, on return from leave is posted to Hazaribagh. Hazaribagh. Mr. A. H. Biss, Assistant Opium Agent, who is performing the duties of Sub-Deputy Opium Agent, Hazaribagh, on being relieved, Muzaffarpur. reverts to his substantive appointment as Assistant Opium Agent, and is transferred to the Tirhut Sub-Agency.

No. 3831L.R.—The 11th November 1902.—Whereas an application has been made by the patnidar (Krisna Promoda Dasi) for survey and the preparation of a record of rights in respect of all lands situated in the villages Kumuria, kismut Kumuria, Rajakati, Mominpur, Noakati, Bakshia, Sharappur, Bantra, Barabilla, Adai Rasal, Kaemkona, Khantara, Madhupur, kismut Kaemkona, Goalbari, Goalebitara, Tularampur, Danasarn, Alipur, Dehipur, Indranagar, Begampur, Natordanga, kismut Suruliā, kismut Noakati, appertaining to the estate bearing tauzi No. 72-1, pargana Dantia in the district of Khulna, and whereas she has agreed to deposit the cost of the operations.

In exercise of the powers conferred by section 101 (2) (a) of the Bengal Tenancy Act, VIII of 1885, as amended by Act III (B.C.) of 1898, the Lieutenant-Governor of Bengal is pleased to direct that a survey shall be made and a record of rights prepared in respect of all lands situated within the boundaries of the said villages of the estate No. 72-1 in the district of Khulna.

The particulars to be recorded in the survey and record of rights shall be the following:—

- (a) The name of each tenant or occupant.
- (b) The class to which each tenant belongs; that is to say, whether he is a tenure-holder, raiyat holding at fixed rates, settled raiyat, occupancy raiyat, non-occupancy raiyat or under-raiyat; and if he is a tenure-holder, whether he is a permanent tenure-holder or not, and whether his rent is liable to enhancement during the continuance of his tenure.

- (c) The situation and quantity and one or more of the boundaries of the land held by each tenant or occupier.
- (d) The name of each tenant's landlord.
- (e) The money-rent payable at the time the record of rights is being prepared, or if a produce-rent, the fact that a produce-rent is paid.
- (f) The mode in which that rent has been fixed, whether by contract or by order of a Court or otherwise.
- (g) If the rent is a gradually increasing rent, the time at which, and the steps by which, it increases.
- (h) The special conditions and incidents, if any, of the tenancy.
- (i) If the land is claimed to be held rent-free, whether or not rent is actually paid, and if not paid, whether or not the occupant is entitled to hold the land without payment of rent, and if so entitled, under what authority.
- (j) The name of each proprietor, with the character and extent of his interest and the situation, quantity, and one or more of the boundaries of each proprietor's private lands, as defined in Chapter XI of the Act.

No. 3832.—The 11th November 1902.—Babu Sarat Chandra Mukerjee, Sub-Deputy Collector, is appointed to be a Settlement Officer of the villages noted below appertaining to estate No. 72-1, pargana Dantia in the district of Khulna :—

- | | |
|--------------------|----------------------|
| 1. Kumuria. | 13. Madhupur. |
| 2. Kismut Kumuria. | 14. Kismut Kaemkona. |
| 3. Rajakati. | 15. Goalbari. |
| 4. Mominpur. | 16. Goalchitara. |
| 5. Noakati. | 17. Tularampur. |
| 6. Bakshia. | 18. Danasarn. |
| 7. Sharappur. | 19. Alipur. |
| 8. Bantra. | 20. Debipur. |
| 9. Barabilla. | 21. Indranagar. |
| 10. Adai Rasal. | 22. Begumpur. |
| 11. Kaemkona. | 23. Natordanga. |
| 12. Khantara. | 24. Kismut Surulia. |

25. Kismut Noakati.

No. 3833.—The 11th November 1902.—Babu Sarat Chandra Mukerjee, Sub-Deputy Collector, is authorized under section 3 (17) of the Bengal Tenancy Act VIII of 1885, as amended by Act III (B.C.) of 1898, to discharge the functions of a Revenue Officer in respect of the following 25 mauzas appertaining to estate No. 72-1, Pargana Dantia in the district of Khulna, under the provisions of that Act so far as they relate to Revenue Officers :—

- | | |
|--------------------|----------------------|
| 1. Kumuria. | 13. Madhupur. |
| 2. Kismut Kumuria. | 14. Kismut Kaemkona. |
| 3. Rajakati. | 15. Goalbari. |
| 4. Mominpur. | 16. Goalchitara. |
| 5. Noakati. | 17. Tularampur. |
| 6. Bakshia. | 18. Danasarn. |
| 7. Sharappur. | 19. Alipur. |
| 8. Bantra. | 20. Debipur. |
| 9. Barabilla. | 21. Indranagar. |
| 10. Adai Rasal. | 22. Begampur. |
| 11. Kaemkona. | 23. Natordanga. |
| 12. Khantara. | 24. Kismut Surulia. |

25. Kismut Noakati.

Babu Sarat Chandra Mukerjee is also vested with the powers of a Settlement Officer under Rule 1, Chapter VI of the Government Rules under the Act in respect of the above mauzas.

No. 3836 L.R.—The 11th November 1902.—Whereas it is expedient that a survey shall be made and a record-of-rights prepared in respect of all lands comprised in the Government estate Iswaripur in pargana Baridhati, in Diamond Harbour, bearing No. 1333 on the revenue roll of the 24-Parganas Collectorate :

In exercise of the powers conferred by sections 101 (2) (c) and 101 (2) (d) of the Bengal Tenancy Act, VIII of 1885, as amended by Act III (B.C.) of 1898, the Lieutenant-Governor of Bengal is pleased to direct that a survey shall be made and a record-of-rights prepared in respect of all the lands included within the external boundaries of the said estate.

The particulars to be recorded in the survey and record-of-rights shall be the following:—

- (a) The name of each tenant or occupant.
- (b) The class to which each tenant belongs, that is to say, whether he is a tenure-holder, raiyat holding at fixed rates, settled raiyat, occupancy raiyat, non-occupancy raiyat or under-raiyat; and if he is a tenure-holder, whether he is a permanent tenure-holder or not, and whether his rent is liable to enhancement during the continuance of his tenure.
- (c) The situation, quantity and one or more of the boundaries of the land held by each tenant or occupier.
- (d) The name of each tenant's landlord.
- (e) The money rent payable at the time the record-of-rights is being prepared, or if a produce rent, the fact that produce rent is paid.
- (f) The mode in which that rent has been fixed, whether by contract, by order of a Court, or otherwise.
- (g) If the rent is a gradually increasing rent, the time at which, and the steps by which, it increases.
- (h) The special conditions and incidents, if any, of the tenancy.
- (i) If the land is claimed to be held rent-free, whether or not rent is actually paid, and, if not paid, whether or not the occupant is entitled to hold the land without payment of rent, and, if so entitled, under what authority.

W. C. MACPHERSON,

Offg. Secy. to the Govt. of Bengal.

SURVEY OF INDIA (BENGAL SURVEYS).

NOTIFICATION—No. $\frac{4}{E/P}$

Dated Dinapur, the 6th November 1902.

MR. E. F. BERKELEY, Extra Assistant Superintendent, 5th grade, Survey of India, is allowed privilege leave for three months, under Article 291 of the Civil Service Regulations, with effect from the 1st September 1902.

R. CAICHTON, Major, I. S. C.,

Superintendent of Provincial Surveys, Bengal.

FINANCIAL DEPARTMENT.

NOTIFICATIONS.

No. 4859R.P.—*The 7th November 1902.*—It is hereby notified that the District Road Committee of the Sonthal Parganas have determined to levy road cess for the cess year commencing from the 1st April 1903 at the maximum rate of six pies, or two pice, on each rupee of the annual value of lands and of the annual net profits from mines, &c., in the tracts in the district of the Sonthal Parganas to which the provisions of the Cess Act were extended under Government Notification No. 4489R.P., dated the 20th August 1901, and the said rate having been approved by the Commissioner of the Division, the fact is hereby published for general information.

No. 4855S.R.—*The 8th November 1902.*—Babu Jagabandhu Bhattacharjee, Deputy Collector, is appointed Deputy Collector of Income-tax in the district of Cuttack, *vice* Babu Monmohon Chacravarti, and under section 40 of Act II of 1886, is vested with the powers of a Collector under the Act.

No. 4960S.R.—*The 11th November 1902.*—Babu Rajnarayan Banerjee, Deputy Collector, is appointed Deputy Collector of Income-tax in the district of Bogra, *vice* Babu Kherode Chandra Sen, and, under section 40 of Act II of 1886, is vested with the powers of a Collector under the Act.

E. W. COLLIN,

Offg. Secy. to the Govt. of Bengal.

MUNICIPAL DEPARTMENT.

No. 2739 L.S.-G.—The 11th November 1902.—The following is republished for general information.

E. W. COLLIN,
Offg. Secy. to the Govt. of Bengal.

JUDICIAL.

No. 918.—The following draft of a notification which it is proposed to make in exercise of the powers conferred by section 7, sub-sections (1) and (2), of the Indian Tolls (Army) Act, 1901 (II of 1901), is published, as required by sub-section (3) of that section, for the information of persons likely to be affected thereby, and notice is given that the draft will be taken into consideration by the Governor-General in Council on or after the first day of January 1903.

2. Any objection or suggestion which may be received from any person with respect to the draft before the date fixed as aforesaid will be considered by the Governor-General in Council.

Draft notification.

In exercise of the powers conferred by section 7, sub-sections (1) and (2), of the Indian Tolls (Army) Act, 1901 (II of 1901), the Governor-General in Council is pleased to make the following rules, namely:

Rules.

1. Save as hereinafter otherwise provided in rule 2, where exemption from the payment of tolls is claimed, under the Indian Tolls (Army) Act, 1901 (II of 1901), in respect of any person or body of persons or any property, a pass, in the form annexed, shall be presented on the demand of the person authorised to demand the tolls.

2. No passes shall be required in the case of—

(a) officers and soldiers of—

- (i) His Majesty's Regular Forces,
- (ii) any local corps, or
- (iii) Imperial Service Troops,

in uniform when on duty or on the march,

(b) members of a corps of Volunteers in uniform when on duty or when proceeding to or returning from duty,

(c) officers and soldiers of the Indian Reserve Forces in uniform when proceeding from their place of residence on being called out for training or service or when proceeding back to their place of residence after such training or service,

(d) grass-cutters and other authorized followers of—

- (i) His Majesty's Regular Forces,
- (ii) any local corps,
- (iii) Imperial Service Troops, or
- (iv) any corps of Volunteers,

when they accompany any body of such Forces, Troops or Volunteers or any members of such corps on the march,

(e) members of the families of officers, soldiers or authorized followers of—

- (i) His Majesty's Regular Forces, or
- (ii) any local corps,

when accompanying any body of troops on duty or on the march,

(f) prisoners under military escort in uniform,

(g) the horses and baggage, and the persons (if any) employed in carrying the baggage, of any persons specified in any of the foregoing clauses, when such horses, baggage or persons accompany the persons so specified under the circumstances mentioned in those clauses respectively,

(h) carriages and horses belonging to His Majesty or employed in His Majesty's military service and all persons in charge of or accompanying the same, when conveying any such persons as hereinbefore in this rule mentioned, or when conveying baggage or stores,

(i) animals accompanying any body of troops which are intended to be slaughtered for food or kept for any purpose connected with the provisioning of such troops, or

(j) persons in charge of any carriage, horse or animal exempted under any of the foregoing clauses when accompanying the same under the circumstances mentioned in those clauses respectively.

3. (1) Save as hereinafter provided in sub-rule (2), every pass shall be signed by the Commanding Officer of the regiment, corps, or detachment concerned, or by a station staff officer.

(2) In the case of members of a corps of volunteers, or of officers and soldiers of the Indian Reserve Forces, every pass shall be signed by a District Magistrate, or by such officer as the District Magistrate may authorise in this behalf.

FORM OF PASS.

[Issued under the Indian Tolls (Army) Act, 1901 (II of 1901).]

This pass is issued subject to the rules on the reverse in respect of the persons and property specified in the annexed schedule, and exempt from the payment of tolls on the occasion of—

Embarking or being shipped at _____
Disembarking or being landed at _____
Proceeding from _____ to _____
It will remain in force from _____ up to the _____ 19 .

Schedule.

	Number.	Name of Corps.	REMARKS.
PART I.			
Persons.			
Officers ...	...	...	...
Soldiers ...	...	...	...
Members of Volunteer Corps ...	...	...	...
Grass-cutters employed in service of troops or volunteers.			
Authorized followers of troops or volunteers ...			
Members of families of officers, soldiers or authorized followers.			
Persons in charge of horses, carriages, slaughter animals and baggage.			
Prisoners ...	...	...	...
PART II.			
Property.			
Horses as defined in the Act* ...	...	...	...
Carriages ...	...	...	...
Slaughter animals ...	...	...	...
Baggage ...	...	...	...

* "Horse" includes a mule and any beast of whatever description which is used for burden or draught or for carrying persons [section 2, clause (c)].

(Sd.)

Place _____ {
Date _____ {
 *Commanding Officer of
 Station Staff Officer at
 District Magistrate at
 Officer authorized by District Magistrate at*

Endorsment.
[Here enter rules 1 to 3]

MEDICAL DEPARMTENT.

No. 1677^{Medl.}_{P.}—The 6th November 1902.—Mr. R. J. Hirst, Probationary Assistant Superintendent of Police, is appointed to hold charge of the police force at the Pilgrim Camp at Chittagong, with effect from the date on which he assumes charge.
Chittagong.
No. 1679^{Medl.}_{P.}—The 6th November 1902.—Captain S. Anderson, I.M.S., Officiating Deputy Sanitary Commissioner, Metropolitan and Eastern Bengal Circle, is appointed to hold charge of the Pilgrim Camp at Chittagong, with effect from the date on which he assumes charge.
Chittagong.

No. 2694 Medl.—The 6th November 1902.—The undermentioned passed students of the Medical College, Calcutta, have been admitted into the Service of Government as Assistant Surgeons with effect from the dates mentioned against their names :—

Babu Surendra Nath Ghosh	...	...	11th October 1902.
„ Debendra Nath Ghosh	...	...	12th „ „
„ Bepin Behary Mukherjee	...	...	16th „ „

No. 2698 Medl.—The 7th November 1902.—Lieutenant-Colonel R. R. H. Whitwell, i.m.s., is appointed, on return from leave, to act temporarily as Civil Surgeon of the 24-Parganas, during the absence, on leave, of Major E. H. Brown, i.m.s., or until further orders.

No. 2700 Medl.—The 7th November 1902.—Lieutenant-Colonel R. R. H. Whitwell, i.m.s., Officiating Civil Surgeon of the 24-Parganas, is appointed to act, until further orders, as Medical Inspector of Emigrants (Colonial Emigration) in addition to his own duties.

No. 2737 Med.—The 11th November 1902.—Captain W. W. Clemisha, i.m.s., is appointed, with effect from the 7th July 1902, to be Resident Medical Officer, Medical College Hospital, but will continue to be on deputation until further orders.

E. W. COLLIN,

Offg. Secy. to the Govt. of Bengal.

JUDICIAL DEPARTMENT.

No. 4535A.

APPOINTMENTS AND TRANSFERS.

No. 4489 A.—The 11th November 1902.—Babu Bipin Behari Mukerji, Subordinate Judge, Dacca, is appointed to act as Small Cause Court Judge of Dacca and Munshiganj, during the absence, on leave, of Babu Srinath Pal, or until further orders.

No. 4491 A.—The 11th November 1902.—Babu Hari Nath Ray, Munsif of Aurangabad, in the district of Gaya, is appointed to act as Subordinate Judge, Dacca, and is temporarily vested with the functions of a Court under section 3, clause (d) of the Land Acquisition Act, I of 1894, within the local limits of the original jurisdiction of the District Judge of Dacca during the absence, on deputation, of Babu Bepin Behari Mukerji, or until further orders.

No. 4493 A.—The 11th November 1902.—Babu Jamini Kanta Mukhopadhyaya, B.L., is appointed to act as a Munsif in the district of Gaya, to be ordinarily stationed at Aurangabad, during the absence, on deputation, of Babu Hari Nath Ray, or until further orders.

No. 4505 A.—The 11th November 1902.—Babu Nundo Lal Dey, Munsif of Tamluk, in the district of Midnapore, is appointed to act as Small Cause Court Judge of Howrah, Hooghly and Serampore during the absence, on leave, of Babu Prasanna Kumar Ghose, or until further orders.

No. 4507 A.—The 11th November 1902.—Babu Jagadis Chandra Sen, B.L., is appointed to act as a Munsif in the district of Midnapore, to be ordinarily stationed at Tamluk, during the absence, on deputation, of Babu Nundo Lal Dey, or until further orders.

No. 4509 A.—The 11th November 1902.—Babu Apurva Chandra Ghose, Munsif of Dinajpur, is appointed to be a Munsif in the same district, to be ordinarily stationed at Phulbari, and is vested with the powers of a Judge of a Court of Small Causes for the trial of suits cognizable by such a Court up to the value of Rs. 50, within the local limits of the Phulbari munsifi.

No. 4511 A.—The 11th November 1902.—Babu Lal Sing, Munsif of Phulbari, in the district of Dinajpur, is appointed to be a Munsif in the same district, to be ordinarily stationed at the sadar station, and is vested with the powers of a Judge of a Court of Small Causes for the trial of suits cognizable by such a Court up to the value of Rs. 100, within the local limits of the sadar munsifi of Dinajpur.

No. 4513 A.—The 11th November 1902.—Babu Basant Kumar Pal, M.A., B.L., is appointed to act as a Munsif in the district of Dinajpur, to be ordinarily stationed at Phulbari, during the absence, on leave, of Babu Apurva Chandra Ghose, or until further orders.

No. 4515 A.—The 11th November 1902.—Babu Norendra Nath Ghose, Munsif, under orders of transfer to Ghatal, in the district of Midnapore, is appointed to be a Munsif in the district of Gaya, to be ordinarily stationed at the sadar station, and is vested with the powers of a Judge of a Court of Small Causes for the trial of suits cognizable by such a Court up to the value of Rs. 100, within the local limits of the sadar munsifi of Gaya.

No. 4518A.—The 11th November 1902.—Babu Nalini Nath Mitra, Munsif of Gaya, is appointed to be a Munsif in the district of Midnapore to be ordinarily stationed at Ghatal, and is vested with the powers of a Judge of a Court of Small Causes for the trial of suits cognizable by such a Court up to the value of Rs. 100 within the local limits of the Ghatal munsifi.

No. 4527A.—The 11th November 1902.—Babu Bepin Behari Mukerjee, B.L., is appointed, to act as a Munsif in the district of Dinajpur, to be ordinarily stationed at Thakurgaon, during the absence, on leave, of Babu Upendra Nath Bhanja, or until further orders.

This cancels the order of the 3rd November 1902, appointing Babu Kumud Nath Roy, M.A., B.L., to act as a Munsif of Thakurgaon.

No. 4178J.—The 1st November 1902.—Babu Raj Mohan Mukherjee is appointed to be an Honorary Magistrate of the Municipal Bench at Kotechandpur, in the district of Jessore.

No. 4141J.—The 7th November 1902.—The undermentioned gentlemen are re-appointed to be Honorary Magistrates of the Sadar Independent Bench, in the district of Midnapore:—

Mr. Rajendra Lall Moitra.	Maulvi Shazeauddin.
Babu Kali Kamal Sarkar.	Babu Ishan Chandra Bera.

No. 4143J.—The 7th November 1902.—Mr. Gabriel Albert Raoul Dubas is appointed to be an Honorary Magistrate of the Independent Bench at Ghatal, in the district of Midnapore.

No. 4145J.—The 7th November 1902.—The undermentioned gentlemen are re-appointed to be Honorary Magistrates of the Independent Bench at Ghatal, in the district of Midnapore:—

Babu Upendra Chandra Roy.	Babu Parbatty Charan Ghosh.
Babu Umesh Chandra Roy.	

No. 4147J.—The 7th November 1902.—Maulvi Ehrar Hossen is re-appointed to be an Honorary Magistrate at Garhbeta, in the district of Midnapore.

No. 4340J.—The 8th November 1902.—Babu Dijendra Nath Neogi is appointed to be an Honorary Magistrate of the Independent Bench at Tangail, in the district of Mymensingh.

LEAVE.

No. 4483A.—The 8th November 1902.—Babu Okhoy Coomar Mitra, Munsif of Motihari in the district of Saran, is allowed leave for six months under article 369 of the Civil Service Regulations, in extension of the leave granted to him under the order of the 3rd July 1902.

RESIGNATION.

No. 4338J.—The 8th November 1902.—The Lieutenant-Governor accepts the resignation tendered by Babu Bhubaneshwari Prosad of his appointment as an Honorary Magistrate of the Sadar Independent Bench, in the district of Monghyr.

POWERS.

No. 4431A.—The 7th November 1902.—Under the authority vested in him by section 357, sub-section (2), of the Code of Criminal Procedure, Act V of 1898, the Lieutenant-Governor empowers Babu Sasi Mohun Talukdar, Deputy Magistrate, Backergunge, to take down evidence in criminal cases in the English language.

No. 4503A.—The 11th November 1902.—Babu Nogendra Chunder Sen, Deputy Magistrate, Malda, is vested with powers under section 110 of the Code of Criminal Procedure.

No. 4521A.—The 11th November 1902.—Babu Promotho Nath Chatterjee, Munsif of Gaya, is vested with powers, under section 19 (2) of the Bengal, North-Western Provinces and Assam Civil Courts Act, XII of 1887, to try, under the ordinary procedure, original suits up to the value of Rs. 2,000 arising within the original jurisdiction of the District Judge of Gaya.

No. 4523A.—The 11th November 1902.—In exercise of the power conferred by sub-section (1) of section 565 of the Code of Criminal Procedure, 1898, the Lieutenant-Governor is pleased to empower the following Magistrate of the first class in the district of Malda, viz., Maulvi Syed Mujibur Rahman, to order at the time of passing sentence of imprisonment on any person referred to in that sub-section that the residence or change of residence of such person after release shall be notified as provided by the rules under sub-section (3) of the said section.

Under the authority vested in the Local Government by sub-section (2), section 8 of the Reformatory Schools Act, VIII of 1897, the Lieutenant-Governor is pleased to invest Maulvi Syed Mujibur Rahman, Deputy Magistrate, Malda, with the powers conferred by sub-section (1) of the said section.

- No. 4179J.—The 1st November 1902.*—Babu Raj Mohan Mukherjee, who has been appointed to be an Honorary Magistrate of the Municipal Bench at Kotechandpur, in the district of Jessore, is vested with the powers of a Magistrate of the third class.
- No. 4142J.—The 7th November 1902.*—The undermentioned gentlemen, who have been re-appointed to be Honorary Magistrates of the Sadar Independent Bench, in the district of Midnapore, are vested with the powers of a Magistrate of the third class:—
- | | |
|---------------------------|--------------------------|
| Mr. Rajendra Lall Moitra. | Maulvi Shazeauddin. |
| Babu Kali Kamal Sarkar. | Babu Ishan Chandra Bera. |
- No. 4144J.—The 7th November 1902.*—Mr. Gabriel Albert Raoul Dubas, who has been appointed to be an Honorary Magistrate of the Independent Bench at Ghatal, in the district of Midnapore, is vested with the powers of a Magistrate of the third class.
- No. 4146J.—The 7th November 1902.*—The undermentioned gentlemen, who have been re-appointed to be Honorary Magistrates of the Independent Bench at Ghatal, in the district of Midnapore, are vested with the powers of a Magistrate of the third class:—
- | | |
|---------------------------|-----------------------------|
| Babu Upendra Chandra Roy. | Babu Parbatty Charan Ghosh. |
| Babu Umesh Chandra Roy. | |
- No. 4148J.—The 7th November 1902.*—Maulvi Ehrar Hossen, who has been re-appointed to be an Honorary Magistrate at Garhbeta, in the district of Midnapore, is vested with the powers of a Magistrate of the third class, and also with the power to try cases under section 290 of the Indian Penal Code. He is also authorized to entertain complaints of, and try, offences under the Puri Pilgrims' Lodging-House Act.
- No. 4149J.—The 7th November 1902.*—Under the authority vested in him by section 357, sub-section (2) of the Code of Criminal Procedure, Act V of 1898, the Lieutenant-Governor empowers Maulvi Ehrar Hossen, who has been re-appointed to be an Honorary Magistrate at Garhbeta, in the district of Midnapore, to take down evidence in criminal cases in the English language.
- No. 4150J.—The 7th November 1902.*—Under the authority vested in him by section 357, sub-section (2) of the Code of Criminal Procedure, Act V of 1898, the Lieutenant-Governor empowers the undermentioned gentlemen, who have been re-appointed to be Honorary Magistrates of the Benches noted against their respective names, in the district of Midnapore, to take down evidence in criminal cases in the English language:—
- | | |
|--------------------------|--|
| Mr. Rajendra Lall Moitra | } ... Midnapore Sadar Independent Bench. |
| Babu Ishan Chandra Bera | |
| „ Kali Kamal Sarkar | |
| „ Parbatty Charan Ghosh | |
| | ... Ghatal Independent Bench. |
- No. 4265J.—The 5th November 1902.*—Under the authority vested in him by section 357, sub-section (2) of the Code of Criminal Procedure, Act V of 1898, the Lieutenant-Governor empowers the undermentioned Honorary Magistrates of the Independent Bench at Jajpur, in the district of Cuttack, to take down evidence in criminal cases in the English language:—
- | | |
|-------------------------|-----------------------------|
| Babu Jaga Mohon Tewari. | Babu Krishna Chandra Nanda. |
|-------------------------|-----------------------------|
- No. 4341J.—The 8th November 1902.*—Babu Dijendra Nath Neogi, who has been appointed to be an Honorary Magistrate of the Independent Bench at Tangail, in the district of Mymensingh, is vested with the powers of a Magistrate of the third class.
- Under the authority vested in him by section 357, sub-section 2 of the Code of Criminal Procedure, Act V of 1898, the Lieutenant-Governor empowers Babu Dijendra Nath Neogi to take down evidence in criminal cases in the English language.

C. E. BUCKLAND,

Chief Secy. to the Govt. of Bengal.

NOTIFICATIONS.

- No. 4388J.—The 10th November 1902.*—It is hereby notified for general information that the Lieutenant-Governor is pleased to appoint, under section 58 of Act VI (B.C.) of 1870, Maulvi Aminul Islam, Deputy Magistrate and Deputy Collector, Monghyr, to be a Commissioner for ascertaining and determining the chaukidari chakran lands within the Sadar subdivision of that district, *vice* Babu Basanta Krishna Bose, transferred.

No. 4300J.—*The 11th November 1902.*—In exercise of the powers conferred by section 12 of the Cattle-trespass Act, I of 1871, the Lieutenant-Governor is pleased to direct that for every head of cattle seized and impounded under that Act within the limits of the Cantonment at Barrackpore, in the district of the 24-Parganas, the pound-keeper shall levy a fine according to the following scale:—

	Rs.	A.
Elephant	4	0
Camel or buffalo	1	0
Horse, mare, gelding, pony, colt, filly, mule, bull, bullock, cow or heifer	0	8
Calf, ass or pig	0	4
Ram, ewe, sheep, lamb, goat or kid	0	2

No. 4456J.—*The 11th November 1902.*—The Proclamation No. 4005J., dated the 29th August 1902, published in the *Calcutta Gazette* of the 3rd September 1902, is hereby cancelled.

Darbhanga.

C. E. BUCKLAND,
Chief Secy. to the Govt. of Bengal.

DECLARATION.

No. 4184J.—*The 6th November 1902.*—Whereas it appears to the Lieutenant-Governor of Bengal that land is required to be taken by Government at the public expense for a public purpose, viz., for the construction of a building for Sundais Police outpost, in the village of Sundais, pargana Ponwar, zilla Shahabad, it is hereby declared that for the above purpose a piece of land measuring, more or less, 3 bighas 15 cottahs and 10 chitaks of standard measurement, bounded on the north by the field of Ganesh Chaubey, south by the field of Pabitar Chaubey, east by the field of Rambhawan Chaubey and the canal lands, west by the fields of Jobraj Chaubey, Ram Dahin Chaubey, Manu Chamar and widow of Nem Dhari Tiwari, is required within the aforesaid village of Sundais.

This declaration is made, under the provisions of section 6 of Act I of 1894, to all whom it may concern.

C. E. BUCKLAND,
Chief Secy. to the Govt. of Bengal.

POLITICAL DEPARTMENT.

No. 2141P.—*The 11th November 1902.*—In exercise of the power conferred by section 5 of the Angul District Regulation, 1894 (I of 1894), and with the previous sanction of the Governor-General in Council, the Lieutenant-Governor is pleased to declare the Probate and Administration Act, 1881 (V of 1881), to be in force throughout the district of Angul.

Angul.

C. E. BUCKLAND,
Chief Secy. to the Govt. of Bengal.

PUBLIC WORKS DEPARTMENT.

ESTABLISHMENT.

The 8th November 1902.

No. 222.—Babu Kanti Chunder Banerji, Assistant Engineer, third grade, Buxar Division, is granted privilege leave for three months, under article 291, Civil Service Regulations, with effect from the afternoon of 4th November 1902.

The 11th November 1902.

No. 227.—Babu Madhu Sudan Sen Gupta, Executive Engineer, 3rd grade, temporary rank, is, on being relieved of the charge of the Upper Rajshahi Division, posted to the Northern Drainage and Embankment Division, of which he will hold charge temporarily.

D. B. HORN,
Secy. to the Govt. of Bengal.

IRRIGATION DEPARTMENT.

The 11th November 1902.

No. 223.—In modification of the description and length of the right Embankment on the Durbachatti Khal, being No. 16 in Schedule D of Act VI (B.C.) of 1873, the following is published for general information :—

No. 16.—Right Embankment on the Durbachatti Khal.

This is a continuous line of embankment on the right bank of the Durbachatti Khal, 2 miles 960 feet, more or less, in length. It commences at a masonry pillar fixed in the ground at a distance of 550 feet north, north-east of the Bhudab Factory Chimney in the village of Bhudab of pargana Mandalghat, and terminates at a masonry pillar, distant 57 feet south-east of the Jassur masonry sluice in the village of Salika in the said pargana.

No. 224.—In modification of the description of the right Embankment on the Rupnarain river, being No. 9 in Schedule D of Act VI (B.C.) of 1873, the following is published for general information :—

No. 9.—Right Embankment on the Rupnarain river.

This is a continuous line of embankment on the right bank of the river Rupnarain, 29 miles 2,373 feet, more or less, in length. It commences at a masonry pillar fixed in the ground, distant 57 feet south-east by compass from the Jassur masonry sluice on the right bank of the Durbachatti khal, in the village of Salika of pargana Mandalghat, and terminates at a masonry pillar on the bank of the Banka Khal. This masonry pillar is 240 feet, north of the Pile Bridge over the Banka Khal, in the village of Kamalpore in pargana Mahisadal.

NOTE.—26 miles 894 feet are maintained by the Public Works Department, and the remaining 3 miles 1,479 feet, being portion of the embankment through Tumluk, are in charge of the Municipality and the District Board.

No. 225.—Declaration.—Whereas it appears to the Lieutenant-Governor of Bengal that land is required to be taken by Government at the public expense for a public purpose, viz., for a retired line of embankment in the villages of Mankur and Bakshi, pargana Mandalghat, zilla Hooghly, it is hereby declared that for the above purpose a piece of land measuring, more or less, 25 bighas 17 cotahs 11 chittaks of standard measurement, 5,645 feet in length and varying in width from 60 to 70 feet, as nicked out by the Public Works Department, is required within the aforesaid villages of Mankur and Bakshi.

This declaration is made, under the provisions of section 6 of Act I of 1894, to all whom it may concern.

A plan of the land may be inspected in the office of the Executive Engineer, Cossye Division, Midnapur.

No. 226.—Declaration.—Whereas it appears to the Lieutenant-Governor of Bengal that land is required to be taken by Government at the public expense for a public purpose, viz., for No. 3 Distributary, Pattamoondi Canal, in the villages of Lekhanpur and Ramesor, pargana Sunghura, zilla Cuttack, it is hereby declared that for the above purpose a piece of land measuring, more or less, 3 roods and 39 poles of standard measurement, bounded on the north by lands of mauzas Lekhanpur and Ramesor, and on the south, east and west by Government lands acquired and to be acquired by Public Works Department in mauzas Lekhanpur and Ramesor, is required within the aforesaid villages of pargana Sunghura.

This declaration is made, under the provisions of section 6 of Act I of 1894, to all whom it may concern.

A plan of the land may be inspected in the office of the Land Acquisition Officer, Irrigation Branch, Cuttack.

[Third Publication.]

The 28th October 1902.

No. 214.—Notification.—It is hereby notified for general information that under the powers vested in him by sections XI and XII of Act V (B.C.) of 1864, His Honour the Lieutenant-Governor of Bengal proposes to pass the following rules for the management of the line of navigation (approximately 4,870 feet in length) connecting the river Madhumati with the river Noboganga in the Narail subdivision of the district of Jessore and passing through the villages of Telkora and Bordia in the said subdivision and for regulating the conduct of persons employed for any of the purposes of the said Act :—

1. Every vessel on entering the above channel shall be liable to measurement by the officer in charge of the toll station for the purpose of ascertaining the amount of toll to be levied, and shall not be permitted to proceed through the channel unless and until such toll has been paid.

2. The maundage of every vessel, whether laden or empty, shall for the purposes of the Canals Act and of these rules be determined by the following measurements :—

(a) The product of half the length of the vessel from stem to stern measured along the water-line, multiplied by the interior greatest breadth of the vessel and by

the depth from the water-line to the bottom of the vessel, shall represent the number of maunds upon which toll shall be levied.

- (b) The measurement of the length is to be made in feet rejecting inches. The measurement of the breadth and depth is to be made in feet and quarters of a foot, rejecting portions of less than a quarter of a foot.
- (c) In the case of rafts the product of length multiplied by the average breadth and depth below water-line shall represent the maundage.
- (d) In calculating the amount of toll to be levied any portion of 100 maunds that is less than 50 maunds shall be omitted, and a fraction exceeding 50 maunds shall be charged as 100 maunds only.

3. No raft shall be admitted into the channel that exceeds 50 feet in length or 5 feet in breadth. No timber, bamboos or grass will be admitted unless securely and compactly bound together in the form of a raft.

4. Every vessel or raft entering the channel shall, on payment of the prescribed toll, be furnished with a ticket. The ticket will specify the date and hour of entry, the maundage of the vessel or raft and the amount of toll paid. It shall also contain the name and residence of the person in charge of the vessel, and shall be signed by the toll-collector issuing it.

5. No vessels whatever except such as are employed on works connected with the maintenance or improvement of the channel shall be exempted from payment of toll.

6. Every vessel or raft which has paid toll shall be allowed 6 hours to pass through the channel, and any vessel or raft remaining in any point of the channel longer than the period aforesaid shall, for each day, or part of a day, in excess of such period be liable to fine under rule 7.

7. Any person infringing any of the above rules or resisting or wilfully interfering with their enforcement shall be liable, under section XI of the Canals Act, to a fine not exceeding Rs. 50 for any one offence.

8. The Supervisor shall select sites for the storage of the cargo of boats seized for breach of any of the provisions of the Canals Act.

D. B. HORN,

Secy. to the Govt. of Bengal.

RAILWAY DEPARTMENT.

The 11th November 1902.

No. 224R.—*Declaration.*—Whereas it appears to the Lieutenant-Governor of Bengal that land is required to be taken by Government at the public expense for a public purpose, viz., for direct Chord from Dhanbaid to Jheria Block Hut on Damuda Branch, East Indian Railway, in the villages of Dhanbaid, Doosar, Bastakhola, Bherakhutta and Dooari, pargana Jheria, zilla Manbhum, it is hereby declared that for the above purpose two plots of land measuring, more or less, 261 bighas 5 cottahs and 3.56 chitaks of standard measurement (corresponding to 86 acres 1 rood and 18.77 poles), bounded as follows:—

Plot A.—On the north by the village road of Dhanbaid, on the south by the Ranchi road, on the east by the Gobindpur-Jheria road, and on the west by the *rabi* lands of Nuniram Mahata.

Plot B.—A strip of land 19,514'—1" in length varying in width from 78 to 300 feet starting from chainage 134,416' 9" of Jheria Branch, East Indian Railway, passing through the village of Dhanbaid, Doosar, Bastakhola, Bherakhutta, Dooari joining with the Damooda Branch of East Indian Railway near Jheria Block Hut,

are required within the aforesaid villages of Dhanbaid, Doosar, Bastakhola, Bherakhutta and Dooari.

Mines of coal, iron-stone, slate or other minerals lying under the land, except only such parts of the mines and minerals as it may be necessary to dig or carry away, or use in the construction of the work for the purpose of which the land is being acquired, are not needed.

This declaration is made, under the provision of section 6 of Act I of 1894, and section 3, clause (1), Act XVIII of 1885, to all whom it may concern.

A plan of the land may be inspected in the office of the District Engineer, East Indian Railway, Asansol.

W. A. INGLIS,

Offg. Secy. to the Govt. of Bengal.

MARINE DEPARTMENT.

The 5th November 1902.

No. 144 Marine.—The following notification, No. 2315, dated the 31st October 1902, published by the Government of India, relative to the reduction of quarantine against vessels arriving from Egypt, is republished for general information.

D. B. HORN,
Secy. to the Govt. of Bengal.

No. 2315, dated Simla, the 31st October 1902.

NOTIFICATION—By the Government of India, Home Department.

The following telegram is published for general information:—

Telegram dated Therapia, the 24th October 1902.

From—His Britannic Majesty's, Ambassador Extraordinary and Plenipotentiary at Constantinople,

To—His Excellency the Viceroy.

QUARANTINE against Egypt reduced to ten days.

The 7th November 1902.

No. 145 Marine.—Mr. G. M. Anderson, Senior Branch Pilot, is permitted to retire from the Bengal Pilot service, with effect from the 13th November 1902.

D. B. HORN,
Secy. to the Govt. of Bengal.

The 7th November 1902.

No. 146 Marine.—Mr. E. A. Ward and Mr. A. J. R. Coachafer, First Mate Leadsman, are appointed as Mate Pilots, with effect from the 11th November 1902.

D. B. HORN,
Secy. to the Govt. of Bengal.

The 11th November 1902.

No. 147 Marine.—In exercise of the powers conferred upon him by section 18 of the Calcutta Port Act, 1890, and with the previous sanction of the Governor-General in Council, the Lieutenant-Governor is pleased to authorise the Commissioners of the Port of Calcutta to raise a debenture loan of Rs. 34,00,000, bearing interest at a rate not exceeding 4 per cent. per annum, and repayable in thirty years, for the purpose of carrying out certain works of improvement in connection with the port of Calcutta.

D. B. HORN,
Secy. to the Govt. of Bengal.

SUBORDINATE CIVIL SERVICE.

No. 4536A.

No. 4525 A.—The 11th November 1902.—Babu Hemanto Kumar Moitra, Sub-Deputy Collector, Hazaribagh, is vested with the powers of a Deputy Collector, for the trial of rent and other suits, under Act X of 1859.

C. E. BUCKLAND,
Chief Secy. to the Govt. of Bengal.

SUBORDINATE EDUCATIONAL SERVICE.

No. 4394 A.—The 4th November 1902.—Mr. B. Shaw is appointed substantively *pro tempore* to class II of the Subordinate Educational Service, and to be Foreman Instructor in the Civil Engineering College, Sibpur, with effect from the 3rd November 1902, *vice* Mr. W. Blazey, resigned.

W. C. MACPHERSON,
Offg. Secy. to the Govt. of Bengal.

JAIL DEPARTMENT.

No. 12491, dated the 6th November 1902.—Assistant Surgeon Gouri Prosad Bhatta-
charji, I.M.S., made over charge of the Khulna Jail to Assistant Surgeon Gopal Chunder
Mukerjee, B.A., M.B., on the forenoon of the 25th October 1902.

JOHN MULVANY, CAPTAIN, I.M.S.,
for Insp.-General of Jails, Bengal.

TREASURY NOTICES.

BABU UPENDRA MOHAN SEN GUPTA, Deputy Collector, has been placed in charge of
the Noakhali Treasury, and is authorized to draw bills on other treasuries.

R. S. GREENSHIELDS, Offg. Commissioner.

CHITTAGONG, the 31st October 1902.

BABU DUMRI LAL, Deputy Collector, has been placed in charge of the Bhagalpur
Treasury, with effect from 23rd October 1902, and is authorized to draw bills on other
treasuries.

H. C. WILLIAMS, Commissioner.

COMMR.'S OFFICE, BHAGALPUR, the 4th November 1902.

UNCOVENANTED DEPUTY COLLECTOR MAULVI GAWHAR ALI has been placed in charge
of the Purnea Treasury, and is authorized to draw bills on other treasuries.

H. C. WILLIAMS, Commissioner.

COMMR.'S OFFICE, BHAGALPUR, the 4th November 1902.

UNCOVENANTED DEPUTY COLLECTOR BABU SIVA SANKAR SINGH is placed in charge of
the Champaran Treasury, and is authorised to draw bills on other treasuries.

E. F. GROWSE, Offg. Addl. Commissioner.

PATNA COMMR.'S OFFICE, BANKIPORE, the 7th November 1902.

Sheriff's Office, the 17th September 1902.

NOTICE is hereby given that the Fifth Criminal Sessions of the year 1902 of the
High Court of Judicature at Fort William in Bengal, for the Town of Calcutta and Factory
of Fort William, and the places subordinate thereto, will be held at the Court-house, in
the Town of Calcutta, on Monday, the first day of December next, at 11 o'clock in
the forenoon, and thence forward from day to day until the said Sessions be over. And it is
hereby proclaimed that all persons who are to prosecute any of the prisoners to be brought
up for trial at the said Sessions be present then and there to prosecute.

H. M. RUSTOMJEE, Sheriff.

সরিক আফিস, সন ১৯০২ সাল তারিখ ১৭ই সেপ্টেম্বর।

সকলকে সমাচার দেওয়া যাইতেছে যে হুবে বাঙ্গালার কোর্ট উইলিয়ম দুর্গের অধীন
শহর কলিকাতার ও অন্যান্য স্থানের কোর্জদারী বিচার নিষ্পত্ত্য জন্য আগামী সন ১৯০২ সালের
১লা ডিসেম্বর সোমবার বেলা ১১ ঘটিকার সময় এবং যে পর্যন্ত সেশিয়ানের কার্য শেষ না হয়
প্রতিদিন উক্ত সময়ে কলিকাতার হাইকোর্টের আপন আদালত ঘরে সন ১৯০২ সালের
পঞ্চম ক্রিমিনেল সেশিয়ান বসিবেক এবং এতদ্বারা প্রচার করা যাইতেছে যে, যে সকল
ব্যক্তি কোন কয়েদির বিরুদ্ধে কোর্জদারী মিছিল করিবেক তাহারা উক্ত স্থানে উক্ত সময়ে
হাজির থাকিয়া যোকদ্দমা করে ইতি।

এইচ, এম্, রস্তমজী, সরিক।

EDUCATION DEPARTMENT, BENGAL.

Subordinate Educational Service.

The 5th November 1902.—Consequent on the appointment of Babu Nalini Mohan Sanyal, M.A., Deputy-Inspector of Schools, Hazaribagh, to be Head Master of the Rangpur Training School, with effect from the 18th November 1902, the following arrangements are sanctioned:—

- (1) Babu Kasi Bhushan Sen, B.A., Deputy Inspector of Schools, Bogra (class V), to be Deputy Inspector of Schools, Hazaribagh, *vice* Babu Nalini Mohan Sanyal.
- (2) Babu Devendra Kumar Ray, M.A., Assistant Head Master, Patna Training School (class IV), to be Deputy Inspector of Schools, Bogra, *vice* Babu Kasi Bhushan Sen.
- (3) Babu Hara Kanta Basu, B.A., an Assistant Master in the Faridpur Zilla School (class VI), now under training in the Kurseong Training School, to be Assistant Head Master of the Patna Training School, *vice* Babu Devendra Kumar Ray.

Babu Panna Lal Banerjee, B.A., an Assistant Master in the Uttarpara Government School (class VII), now under training at the Kurseong Training College, is appointed to be an Assistant Master in the Chittagong Collegiate School, *vice* Babu Chinta Haran Chakravarti, but he will act as Assistant Head Master of the same Institution, during the absence, on leave, of Babu Revati Raman Ray, or until further orders.

Babu Mahendra Nath Datta, B.A., an Assistant Master in the Ravenshaw Collegiate School, Cuttack (class VIII), is appointed to be an Assistant Master in the Balasore Zilla School, *vice* Babu Madhu Sudan Das, B.A., transferred.

Babu Madhu Sudan Das, B.A., an Assistant Master in the Balasore Zilla School (class VII), now under training at the Kurseong Training College, is appointed to be an Assistant Master in the Ravenshaw Collegiate School, Cuttack, *vice* Babu Mahendra Nath Datta, transferred.

The following arrangements are sanctioned consequent on the resignation of his appointment, as an Assistant Master in the Patna Collegiate School, by Pandit Panday Ram Avatar Sarma:—

- (1) Babu Kali Kamal Sanyal, Assistant Head Master, Bogra Zilla School (class VI), to be an Assistant Master in the Patna Collegiate School, *vice* Pandit Panday Ram Avatar Sarma.
- (2) Babu Purna Chandra Gupta, B.A., Assistant Head Master, Pabna Zilla School (class VI), to be Assistant Head Master of the Bogra Zilla School, *vice* Babu Kali Kamal Sanyal.
- (3) Babu Aghor Nath Adhikari, an Assistant Master in the Pabna Zilla School (class VI), now under training at the Kurseong Training College, to be Assistant Head Master of the Pabna Zilla School, *vice* Babu Purna Chandra Gupta.

Babu Woomesh Chandra Sen, Head Clerk, Office of Inspector of Schools, Patna Division (class IV), is allowed leave of absence for six months under article 369 of the Civil Service Regulations, with effect from the 18th October 1902, or such subsequent date as he may have availed himself of it.

Babu Girish Chandra Nandi, Head Clerk, Office of Inspector of Schools, Chittagong Division (class VIII), is appointed to act as Head Clerk in the Office of Inspector of Schools, Patna Division, during the absence, on leave, of Babu Woomesh Chandra Sen, or until further orders.

Babu Jogesh Chandra Sarkar, a Clerk in the Office of Inspector of Schools, Patna Division, is appointed to act as Head Clerk in the Office of Inspector of Schools, Chittagong Division, and in class VIII of the Subordinate Educational Service, during the absence, on deputation, of Babu Girish Chandra Nandi, or until further orders.

A. PEDLER,

Director of Public Instruction, Bengal.

CALCUTTA UNIVERSITY.

NOTICE.

MR. S. R. DAS, M.A., Barrister-at-Law, Tagore Law Professor for 1902-1903, will deliver his first lecture on the Law of Ultra Vires at the Senate House, College Square, on Saturday, the 29th November, at 4-30 P.M.

SENATE HOUSE,
The 7th November 1902.

K. C. BANURJI,
Offg. Registrar.

NOTIFICATION.

It is hereby notified for general information that on the result of the ensuing Entrance Examination being known, the four second-grade scholarships allotted to the Rajshahi Division will be awarded to the best students in the Division, irrespective of districts, and the eight third-grade scholarships will be distributed as follows:—

Rajshahi	...	...	...	2
Dinajpur	...	...	...	1
Jalpaiguri	...	...	...	1
Darjeeling	...	...	...	1
Rangpur	...	...	...	1
Bogra	...	...	...	1
Pabna	...	...	...	1
Total				8

Besides the above, there are two special scholarships—one of the second grade and another of the third grade—open to competition among all High English Schools in the Rangpur district.

C. R. MARINDIN, *Commissioner.*

COMM'R.'S OFFICE, RAJSHAHI DIVISION, DARJEELING, the 3rd November 1902.

NOTIFICATIONS OF THE BOARD OF REVENUE.

No. 2779B.

NOTICE is hereby given that the Twelfth Sale of Opium, the Provision of 1900-1901, will be held at the Government Opium Sale-room, No. 2 Bankshall Street, on Monday, the 1st December 1902, at 11 A.M., and will comprise 4,000 chests, viz.:—

			Chests.
Opium manufactured at the Patna Factory, consisting of	...	...	2,000
Ditto ditto at the Ghazipur Factory, consisting of	...	...	2,000
Total			4,000

2nd.—The general conditions of the sale now advertised will be the same as usual. They may be ascertained by reference to the Notification issued on the 19th November 1901, and published in the *Government* and *Exchange Gazettes*, or on personal application at the Office of the Board of Revenue.

3rd.—The latest dates for deposit and clearance will be the 6th and 16th December 1902, respectively, that is to say, no Bank of Bengal Receipts, Government Promissory Notes, or other public securities that may be tendered for deposit in redemption of Promissory Notes given by purchasers in the sale-room will be received after 1-30 P.M. of Saturday, the 6th December 1902, and no Bank of Bengal Receipts in full payment of lots will be accepted after 3-30 P.M. of Tuesday, the 16th December 1902.

By order of the Board of Revenue, L. P.,

H. WHEELER, *Secretary.*

BOARD OF REVENUE, L. P., CALCUTTA, the 28th October 1902.

Statement showing the Quantity of Salt (Private Property) in Bonded Warehouses and afloat on the River Hooghly on the 31st day of October 1902, and Transactions during the half month from the 16th to the 31st October 1902.

DESCRIPTION OF SALT.	IN BONDED WAREHOUSES IN CALCUTTA.				Quantity afloat.	Grand Total.	TRANSACTIONS DURING HALF-MONTH FROM THE 16TH TO THE 31ST OCTOBER 1902, INCLUSIVE.			
	In private golas.	In Sulkea Government golas.	In Kidderpore Dock Government golas.	Total.			Quantity on which duty has been paid.	Manifested quantity arrived in the Port of Calcutta.	Deliveries from shipboard for consumption and for inland bonded warehouses.	Deliveries from bonded warehouses for consumption and for inland bonded warehouses.
1	2	3	4	5	6	7	8	9	10	11
United Kingdom— Liverpool and other Panga salt.		Mds. 8,32,338	Mds. 7,71,194	Mds. 16,03,532	Mds. 34,260	Mds. 16,37,792	Mds. 1,47,066	Mds. 1,11,584	Mds. 28,150	Mds. 2,20,900
Other European countries— Hamburg salt		 39,095	.....	..... 39,095	.....	..... 39,095	 13,050	.....	.....	..... 16,500
Aden and Red Sea— Aden salt		 1,68,849	.....	..... 1,68,849	.....	..... 1,68,849	 70,713	.....	.....	..... 76,651
Sailif salt		 2,51,396	.....	..... 2,51,396	.....	..... 2,51,396	 52,740	.....	.....	..... 58,000
Sailif rock salt		 8,992	.....	..... 8,992	.....	..... 8,992	 500	.....	.....	..... 500
Rawayah salt		 1,82,249	 30,398	 2,12,642	.....	..... 2,12,642	 52,155	.....	.....	..... 54,502
Muscat and Persian Gulf— Muscat, Lingah and Hanjam salt.		 1,21,251	.....	..... 1,21,251	 27,000	 1,48,251	 8,000	.....	..... 6,500	 3,600
Ditto ditto Rock salt.		 6,117	.....	..... 6,117	.....	..... 6,117	 500	.....	..... 368	.....
British India— Bombay salt		 41,285	.....	..... 41,285	.....	..... 41,285	 32,600*	.....	.....	..... 25,352
Madras salt										
Coconada salt										
Vizagapatam salt										
Other places— Madagascar salt										
Port Said salt		 73,145	.....	..... 73,145	.....	..... 73,145	 2,670	.....	.....	..... 2,150
Total		 17,24,717	 8,01,587	 25,26,304	 61,260	 25,87,564	 3,79,994	 1,11,584	 35,108	 4,56,815

* This quantity includes 31,354 maunds Bombay Karkach salt on which the duty was paid at Bombay.

By order of the Board of Revenue, L. P.,

L. F. MORSHEAD, *Offg. Collector of Customs.*

CALCUTTA CUSTOM HOUSE, the 11th November 1902.



The Calcutta Gazette.

WEDNESDAY, NOVEMBER 19, 1902.

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PART I

Orders and Notifications by the Lieutenant-Governor of Bengal,
the High Court, Government Treasury, &c.

ORDERS BY THE LIEUT.-GOVERNOR OF BENGAL.

No. 4702A.

APPOINTMENTS AND TRANSFERS.

GENERAL.—No. 4540A.—The 12th November 1902.—Mr. J. A. Ezechiel, Joint-Magistrate and Deputy Collector, on leave, is posted to the head-quarters station of the Chittagong district.

No. 4591A.—The 14th November 1902.—The services of the following officers are placed at the disposal of the Government of India in the Home Department:—

Mr. J. Johnston, Officiating Joint-Magistrate and Deputy Collector, Sirajganj, Pabna.

Mr. P. E. Cammiade, Officiating Joint-Magistrate and Deputy Collector, Chandpur, Tippera.

Mr. G. E. Lambourn, Assistant Magistrate and Collector, Raniganj, Burdwan.

No. 4597A.—The 14th November 1902.—Mr. L. Birley, Officiating Joint-Magistrate and Deputy Collector, Samastipur, Darbhanga, is appointed to have charge of the Sirajganj subdivision of the Pabna district.

- No. 4599 A.—The 14th November 1902.*—Mr. A. Marr, Assistant Magistrate and Collector, on special duty, Muzaffarpur, is appointed to have charge of the Samastipur subdivision of the Darbhanga district.
- No. 4602 A.—The 14th November 1902.*—Mr. Jnanendra Nath Roy, Officiating Joint-Magistrate and Deputy Collector, is appointed to have charge of the Chandpur subdivision of the Tippera district.
- No. 4604 A.—The 14th November 1902.*—Babu Annada Charan Guha, substantive *pro tempore* Deputy Magistrate and Deputy Collector, is posted temporarily to the Lalbagh subdivision of the Murshidabad district, with effect from the 6th November 1902.
- No. 4622 A.—The 14th November 1902.*—The services of Mr. B. G. Geidt, Additional District and Sessions Judge, 24-Parganas and Hooghly, are placed temporarily at the disposal of the Government of India in the Home Department.
- No. 4625 A.—The 14th November 1902.*—Mr. T. W. Richardson, District and Sessions Judge, is appointed to act as Additional District and Sessions Judge, 24-Parganas and Hooghly, during the absence, on deputation, of Mr. B. G. Geidt, or until further orders.
- Mr. Richardson is empowered to perform the functions of a Principal Civil Court of Original Jurisdiction, under section 3, clause (d), of Act I of 1894, within the limits of Calcutta.
- No. 4669 A.—The 18th November 1902.*—Mr. J. H. Lea, Magistrate and Collector, on leave, is appointed to act temporarily as Magistrate and Collector of Jessore.
- POLICE.**—*No. 4567 A.—The 12th November 1902.*—Mr. R. G. Watling, Probationary Assistant Superintendent of Police, Gaya, is appointed to have charge of the police of that district, during the absence, on leave, of Mr. J. M. Coates, or until further orders.
- REGISTRATION.**—*No. 4576 A.—The 13th November 1902.*—Maulvi Muhammad Umar Khan, Rural Sub-Registrar, Jagadispur, Shahabad, is appointed to act as Special Sub-Registrar of Arrah, during the absence, on leave, of Maulvi Shah Mahammad Yakub, or until further orders.
- EDUCATION.**—*No. 4671 A.—The 17th November 1902.*—Babu Nalini Mohan Sanyal, Deputy Inspector of Schools, Hazaribagh (Class II of the Subordinate Educational Service), is appointed to Class VII of the Provincial Educational Service, and to be Head Master of the Rangpur Training School, with effect from the 18th November 1902, *vice* Babu Rajeswar Gupta, about to retire.
- ECCLESIASTICAL.**—*No. 4664 A.—The 18th November 1902.*—The Rev. Mr. E. S. Bartrum is appointed to act as Chaplain of Darjeeling during the absence, on deputation, of the Rev. Mr. T. E. F. Cole, or until further orders, with effect from the date on which he took over charge.
- JAILS.**—*No. 4639 A.—The 18th November 1902.*—Captain C. R. Stevens, I.M.S., Officiating Civil Surgeon of Midnapore, is appointed to act temporarily, in addition to his own duties, as Superintendent of the Central Jail, Midnapore.

LEAVE.

- GENERAL.**—*No. 4580 A.—The 14th November 1902.*—Babu Probhat Nath Roy, Deputy Magistrate and Deputy Collector, Manbhum, is allowed combined leave up to the 15th September 1903, viz., privilege leave for three months, under Article 264A of the Civil Service Regulations, with effect from the date on which he may avail himself of it, and furlough for the remaining period under Article 371 of the Regulations.
- No. 4610 A.—The 14th November 1902.*—Mr. H. D. deM. Carey, Officiating Magistrate and Collector, Murshidabad, is allowed leave for one day, under Article 291 of the Civil Service Regulations, in extension of the leave granted to him under the order of the 16th October 1902.
- No. 4613 A.—The 14th November 1902.*—Babu Chandra Narayan Gupta, Deputy Magistrate and Deputy Collector, Sonthal Parganas, is allowed leave for one month, under Article 291 of the Civil Service Regulations, with effect from the 19th November 1902, or any subsequent date on which he may avail himself of it.
- No. 4615 A.—The 14th November 1902.*—Babu Nowrunji Lall, Deputy Magistrate and Deputy Collector, Shahabad, is allowed leave for thirty days, under Article 291 of the Civil Service Regulations, with effect from the date on which he may avail himself of it.

No. 4680 A.—The 18th November 1902.—Mr. J. H. E. Garrett, Magistrate and Collector, Dinajpur, is allowed leave for one day, under Article 291 of the Civil Service Regulations, in extension of the leave granted to him under the order of the 15th August 1902.

VOLUNTEERS.—No. 4636 A.—The 17th November 1902.—Captain J. B. Oliver, Northern Bengal Mounted Rifles, has been granted, by the General Officer Commanding the Presidency District, leave of absence for three months, with effect from the 1st November 1902.

POLICE.—No. 4565 A.—The 12th November 1902.—Mr. J. M. Coates, District Superintendent of Police, Gaya, is allowed leave for three weeks, under Article 291 of the Civil Service Regulations, with effect from the 6th November 1902.

REGISTRATION.—No. 4574 A.—The 13th November 1902.—Maulvi Shah Mohammad Yakub, Special Sub-Registrar, Arrah, is allowed leave for one month, under Article 294 of the Civil Service Regulations, with effect from the 20th October 1902.

EXCISE.—No. 4629½ A.—The 13th November 1902.—Babu Monmohan Chakravarti, Special Excise Deputy Collector, Cuttack, is allowed leave for nineteen days, under Article 291 of the Civil Service Regulations, in extension of the leave granted to him under the order of the 5th September 1902.

JAILS.—No. 4697 A.—The 18th November 1902.—Captain F. H. Watling, I.M.S., Officiating Superintendent of the Central Jail, Midnapore, is allowed leave for three months, under Article 291 of the Civil Service Regulations, with effect from the date on which he availed himself of it.

C. E. BUCKLAND,
Chief Secy. to the Govt. of Bengal.

REVENUE DEPARTMENT.

NOTIFICATIONS.

No. 4012.—The 18th November 1902.—Mr. R. W. Blair, Sub-Deputy Opium Agent, on return from leave, is posted to Tehta.
Gaya (Tehta). Mr. J. E. Powell, Assistant Opium Agent, who is performing the duties of Sub-Deputy Opium Agent, Tehta, on being relieved, reverts to his substantive appointment as Assistant Opium Agent.

No. 4018.—The 18th November 1902.—The following promotions are ordered owing to the retirement of Mr. A. W. Osborne, Sub-Deputy Opium Agent, fourth grade, with effect from the 12th February 1902:—

- Mr. G. A. Levett-Yeats, Assistant Opium Agent, to be a Sub-Deputy Opium Agent (ungraded), on personal pay.
- „ H. C. Roy, Assistant Opium Agent, substantive *pro tempore*, to be confirmed as Assistant Opium Agent (ungraded), on personal pay.
- „ M. Mackertich, Probationary Assistant Opium Agent, to be an Assistant Opium Agent (ungraded), substantive *pro tempore*, on personal pay, but to continue on deputation as Assistant Factory Superintendent, Patna.
- „ A. Hayward, Probationary Assistant Opium Agent, to be an Assistant Opium Agent (ungraded), substantive *pro tempore*, on personal pay, while Mr. Mackertich is on deputation.

No. 3803 L.R.—The 7th November 1902.—Whereas an application has been made by Hati Charan Sahu, tenure-holder, for the survey and preparation of a record-of-rights of the lands of tenure Chaitanala, in mauza Bhansra, pargana Khelar Nayagram, in the district of Midnapore, and whereas he has deposited the estimated cost of the operations, amounting to Rs. 160:

In exercise of the powers conferred by section 101 (2) (a) of the Bengal Tenancy Act, VIII of 1885, as amended by Act III (B.C.) of 1898, the Lieutenant-Governor of Bengal is pleased to direct that a survey shall be made and a record-of-rights prepared in respect of all lands situated within the boundaries of the said tenure.

The particulars to be recorded in the survey and record-of-rights shall be the following:—

- (a) The name of each tenant or occupant.
- (b) The class to which each tenant belongs, that is to say, whether he is a tenure-holder, raiyat holding at fixed rates, settled raiyat, occupancy raiyat, non-occupancy raiyat or under-raiyat; and if he is a tenure-holder, whether he is a permanent tenure-holder or not, and whether his rent is liable to enhancement during the continuance of his tenure.

- (c) The situation, quantity and one or more of the boundaries of the land held by each tenant or occupier.
- (d) The name of each tenant's landlord.
- (e) The rent payable at the time the record-of-rights is being prepared.
- (f) The mode in which that rent has been fixed,—whether by contract, by order of a Court or otherwise.
- (g) If the rent is a gradually increasing rent, the time at which, and the steps by which, it increases.
- (h) The special conditions and incidents, if any, of the tenancy.
- (i) If the land is claimed to be held rent-free, whether or not rent is actually paid, and if not paid, whether or not the occupant is entitled to hold the land without payment of rent, and if so entitled, under what authority.
- (j) The name of each proprietor, with the character and extent of his interest, and the situation, quantity and boundaries of each proprietor's private lands as defined in Chapter XI of the Act.

No. 3958.—The 14th November 1902.—Under section 3 of the Bengal Survey Act, V (B.C.) of 1875, the Lieutenant-Governor is pleased to order that a survey shall be made of the lands situated in pargana Panga and lot Haranarayan, bearing tauzi Nos. 150 and 151, respectively, on the revenue roll of the Rangpur Collectorate, and that the boundaries of estates, tenures, mauzas and fields comprised in the said two estates shall be demarcated.

No. 3959.—The 14th November 1902.—Under section 4 of the Bengal Survey Act, V (B.C.) of 1875, Lieutenant F. C. Hirst, I.S.C., Assistant Superintendent, Survey of India, is appointed to be an Assistant Superintendent of Survey in the district of Rangpur.

No. 4017.—The 18th November 1902.—Whereas an application has been made by the patnidars of 14a. 4g. 1k. 7d. divided share in mauza Enayetpur and its *paras* (hamlets) Mohanpur, Basabari and Decreerpara, comprising their patni taluk appertaining to estate No. 27, Enayetpur, pargana Isufshahi, in the district of Pabna, for a survey and preparation of a record-of-rights in respect of all lands situated in that share in the said mauza, and whereas they have agreed to deposit the cost of the operation:

In exercise of the powers conferred upon him by section 101 (2) (a) of the Bengal Tenancy Act, VIII of 1885, as amended by Act III (B.C.) of 1898, the Lieutenant-Governor of Bengal is pleased to direct that a survey shall be made and a record-of-rights prepared in respect of all lands included within the external boundaries of the 14a. 4g. 1k. 7d. divided share in mauza Enayetpur and its *paras* Mohanpur, Basabari, and Decreerpara, comprising the said patni taluk appertaining to estate No. 27, Enayetpur, pargana Isufshahi, in the district of Pabna.

The particulars to be recorded in the survey and record-of-rights of the said taluk shall be the following, namely:—

- (a) The name of each tenant or occupant.
- (b) The class to which each tenant belongs, that is to say, whether he is a tenure-holder, raiyat holding at fixed rates, settled raiyat, occupancy raiyat, non-occupancy raiyat or under-raiyat; and if he is a tenure-holder, whether he is a permanent tenure-holder or not, and whether his rent is liable to enhancement during the continuance of his tenure.
- (c) The situation and quantity and one or more of the boundaries of the land held by each tenant or occupier.
- (d) The name of each tenant's landlord.
- (e) The money-rent payable at the time the record-of-rights is being prepared, or if a produce-rent, the fact that a produce-rent is paid.
- (f) The mode in which that rent has been fixed, whether by contract, by order of a Court, or otherwise.
- (g) If the rent is a gradually increasing rent, the time at which, and the steps by which, it increases.
- (h) The special conditions and incidents, if any, of the tenancy.
- (i) If the land is claimed to be held rent-free, whether or not rent is actually paid, and, if not paid, whether or not the occupant is entitled to hold the land without payment of rent, and, if so entitled, under what authority.
- (j) The name of each proprietor, with the character and extent of his interest, and the situation, quantity, and one or more of the boundaries of the proprietor's private lands as defined in Chapter XI of the Act.

No. 3974 L.R.—The 15th November 1902.—In exercise of the powers vested in him by section 9 of the Sonthal Parganas Settlement Regulation, III of 1872, as amended by section 4 of the Sonthal Parganas Rent Regulation, II of 1886, the Lieutenant-Governor is pleased to declare that a revision of settlement shall be made in the case of the areas specified below, situated within the undermentioned estates in the Sonthal Parganas:—

DISTRICT SONTHAL PARGANAS.

Subdivision Deoghar.

NAME OF ESTATE.	Nature of estate.	Tauzi number or number in Register B, Part I.	Approximate number of villages.	Approximate area in square miles.
Kukraha ...	Ghatwali	122	84	23.09
Sarwan ...	Ditto	124	124	33.69
Fulchua ...	Ditto	40	40	15.70
Moharajanj ...	Ditto	2	2	2.00
Khore Dumur ...	Ditto	1	1	1.10
Saldah ...	Ditto	78	78	36.20
Kunjora ...	Ditto	31	31	13.81
Bargunia ...	Ditto	40	40	11.40
Bamungama ...	Ditto	69	69	64.45
Parbad ...	Ditto	4	4	1.10
Kuchhiagora ...	Zamindari	563	9	1.34
Jhikti ...	Ghatwali	87	87	26.22
Pathrole ...	Ditto	332	332	124.63
Majhtari ...	Ditto	1	1	4.03
Singpur ...	Ditto	1	1	1.13
Baghdaha ...	Ditto	7	7	3.28
Sarath ...	Ditto	11	11	5.40
Dumra ...	Ditto	38	38	12.94
Deoli ...	Ditto	133	133	44.03
Lakhoria ...	Ditto	168	168	46.80
Bahinga ...	Zamindari	567	81	25.00
Burhai ...	Ghatwali	160	160	75.00
Thari ...	Zamindari	585	1	32.27
Bhanderkola ...	Ditto	577	1	31.00
Bishunpur ...	Ditto	560	1	79.14
Karaw ...	Revenue-free lakhiraj	88	34	8.63
Porevagurbad ...	Ghatwali	11	11	3.60
Madunjori ...	Zamindari	565	8	2.17
Rampur ...	Ditto	575	1	.62
Auradih ...	Ditto	588	1	.24
Simra ...	Ghatwali	1	1	.86
Garrow ...	Ditto	7	7	3.63
Dharampur ...	Ditto	3	3	.49
Nuniad ...	Ditto	80	80	37.24
Bhikua ...	Revenue-free shibottar	8	1	.25
Khorai ...	Ghatwali	3	3	.73
Mahapur ...	Ditto	6	6	.83
Govindpur (I) ...	Ditto	3	3	1.59
Sridi ...	Zamindari	550	1	.24
Gobindpur (II) ...	Ghatwali	10	10	2.58
Gajiadih ...	Ditto	3	3	.59
Beherodi ...	Ditto	4	4	1.87
Bistupur ...	Ditto	6	6	.85
Bandudih ...	Zamindari	576	3	.39
Baudra ...	Revenue-free lakhiraj	9	1	.54
Chorakmara ...	Zamindari	568	1	.50
Bhorechaudi ...	Ditto	561	20	4.44
Kanco ...	Ditto	564	6	3.22
Arjuna ...	Revenue-free debottar	2	1	.79
Kagra ...	Ditto lakhiraj	86	1	.62
Khadoi ...	Ditto debottar	89	1	.25
Mahadeodeona ...	Ditto lakhiraj	119	1	.54
Mahadeo Amba ...	Ditto ditto	120	1	.32
Nowdiha ...	Ditto debottar	129 + 122	20	18.08

DISTRICT SONTHAL PARGANAS—concluded.

Subdivision Deoghar—concluded.

NAME OF ESTATE.	Nature of estate.	Tauzi number or number in Register B, Part I.	Approximate number of villages.	Approximate area in square miles.
Narangi ...	Revenue-free lakhiraj	131	1	·74
Tukuraidih ...	Ditto debottar	178	1	·22
Gouripur ...	Zamindari ...	569	1	·73
Borataur ...	Revenue-free debottar	30	1	·01
Bagjora ...	Ditto shibottar	32	1	·14
Chirudih ...	Ditto debottar	35	1	·15
Digambari ...	Ditto lakhiraj	44	1	·07
Gourichauk ...	Ditto debottar	58	1	·10
Thokamath ...	Ditto lakhiraj	75	1	·10
Karibarak or Karibank	Ditto debottar	91	1	·12
Korendi alias Kenduadih	Ditto lakhiraj	92	1	·15
Nurpur urf Bhurbhura	Ditto ditto	28	1	·07
Nachniamba ...	Ditto ditto	133 + 133	1	·71
Kusmil ...	Zamindari ...	572	1	·57
Mohesliti ...	Ditto ...	573	1	·27
Khairboni ...	Ghatwali ...	1	1	·17
Nayabad Raniguj	Ditto ...	1	1	·33
Bhairi ...	Ditto ...	1	3	·63
Farsa ...	Revenue-free lakhiraj	45	1	·01
Paharia ...	Ditto ditto	44	1	·11
Simarkote ...	Ditto ditto	163	1	·07
Pubiah ...	Ditto ditto	143	3	·23
Jamnapaghar	Ditto ditto	76	13	3·96
Marwa ...	Revenue-free shibottar	121 + 131 + 131 + 131	17	3·56
Kusmaha ...	Ditto lakhiraj	85	3	1·31
Tisuah ...	Zamindari ...	582	1	·13
Gouripur ...	Revenue-free debottar	56	3	·85
Kajuria ...	Ditto ditto	90	1	·77
Kajra ...	Ditto lakhiraj	93	2	3·26

Subdivision Jamtara.

NAME OF ESTATE.	Nature of estate.	Tauzi No.	Approximate number of villages.	Approximate area in square miles.
Ghati ...	Ghatwali ...	112	112	47·00
Dakhinbahal ...	Sikmi ghatwali ...	31	31	18·01
Marrow ...	Ditto ...	38	38	16·00
Amjera ...	Ditto ...	19	19	5·00
Pindari ...	Ditto ...	31	31	9·00
Kajra ...	Ghatwali ...	18	18	3·64

W. C. MACPHERSON,
Offg. Secy. to the Govt. of Bengal.

GENERAL DEPARTMENT.

NOTIFICATIONS.

No. 3310.—*The 11th November 1902.*—In continuation of Government Notification No. 1987T.G., dated the 9th October 1902, the following supplementary list of approved text-books for schools is published for general information :—

DRAWING BOOKS.*

The Oriental School Drawing Books, by
E. B. Havell (Messrs. Macmillan & Co.)—

Part I	...	...	For the Lower Primary Standard.
Part II	...	...	For the Upper Primary Standard.
Parts III and IV	...	...	For the Middle Vernacular and Middle English Standards.

* These books are intended for the use of teachers only.

No 3395.—*The 18th November 1902.*—In continuation of Government Notification No. 3310, dated the 11th November 1902, the following supplementary lists of approved ext-books for schools are published for general information :—

A

List of Hindi and Urdu Books.

I.—TEACHERS' MANUAL.

For the Lower Primary Standard.

1. Junior Teachers' Manual (Hindi), by Dwijendra Nath Neogi.

For the Upper Primary and Middle Vernacular Standards.

1. Senior Teachers' Manual (Hindi), by Dwijendra Nath Neogi.

II.—SCIENCE READER.

For the Lower Primary Standard.

1. Science Reader, Lower Primary (Hindi), by Macmillan & Co.
2. Science Reader for Standards I and II (Hindi), by G. C. Bose.

For the Upper Primary Standard.

1. Science Reader, Upper Primary (Hindi), by Macmillan & Co.

For the Middle Vernacular Standard.

1. Science Reader for Middle Schools (Hindi), by Macmillan & Co.

III.—HISTORICAL READERS.

For the Upper Primary Standard.

1. History Reader, Upper Primary (Hindi), by Macmillan & Co.

For the Middle Vernacular Standard.

1. History of India for Middle Schools (Urdu), by E. Marsden (Macmillan & Co.).

IV.—GEOGRAPHY READERS.

For the Upper Primary Standard.

1. Geography Reader, Upper Primary (Hindi), by Macmillan & Co.
2. Elementary Geography Reader (Hindi), by Isan Chandra Ghose.

For the Middle Vernacular Standard.

1. Geography Reader for Middle Schools (Hindi), by Macmillan & Co.
2. Geography Reader for Middle Schools (Urdu), by Macmillan & Co.

V.—ARITHMETIC.

1. Lower Primary Patiganit (Hindi), by Macmillan & Co.

VI.—GEOMETRY.

1. Euclid for Middle Schools, Book I (Hindi), by Macmillan & Co.

VII.—MENSURATION.

1. Upper Primary and Middle Vernacular Practical Geometry and Mensuration (Hindi), by Macmillan & Co.

VIII.—VERNACULAR ALPHABET AND SPELLING-BOOK.

1. Sachitra Hindi and Sabda Nirman Siksha (Hindi), by Sasadhar Sen.

GENERAL B. DEPARTMENT

*List of Uriya Books.***I.—SCIENCE READER.***For Middle Vernacular Standard.*

1. Middle Vernacular Science Reader, by Macmillan & Co.

For Upper Primary Standard.

1. Upper Primary Science Reader, by Macmillan & Co.

For Lower Primary Standard.

1. Lower Primary Science Reader, by Macmillan & Co.

II.—HISTORICAL READER.*For Upper Primary Standard.*

1. Upper Primary History Reader, by Macmillan & Co.

For Middle Vernacular Standard.

1. History of India, by E. Marsden (Macmillan & Co.).

III.—GEOGRAPHY READER.*For Upper Primary Standard.*

1. Upper Primary Geography Reader, by Macmillan & Co.

IV.—MENSURATION.

1. Practical Geometry and Mensuration, by Macmillan & Co.

No 3358.—*The 18th November 1902.*—The following notification of the Government of India is published for general information.

W. C. MACPHERSON,

Offg. Secy. to the Govt. of Bengal.

No. 449, dated Simla, the 31st October 1902.

NOTIFICATION—By the Government of India, Home Department.

The following is added as a note to Rule 1 (3), Part II of the Ecclesiastical rules, published with the Home Department Notification No. 178, dated the 21st May 1897:—

NOTE.—The lower fee of 8 annas per square foot shall be charged only if the whole structure above the ground level is made of cut stone or marble.

No. 3350.—*The 18th November 1902.*—The following documents are published for general information.

W. C. MACPHERSON,

Offg. Secy. to the Govt. of Bengal.

No. 3349, dated Calcutta, the 17th November 1902.

From—W. C. MACPHERSON, Esq., Offg. Secretary to the Government of Bengal, General Department,

To—The Director of Public Instruction, Bengal.

I AM directed to acknowledge the receipt of your letter No. 44T.E., dated the 2nd September 1902, in which you report that Maulvi Syed Muhammad Mahdi Husan Khan *alias* Syed Badshah Nawab of Patna City, has deposited a sum of Rs. 1,500 in Government Promissory Notes to form three permanent funds, to be called the "Badshah Nawab Nawab Lootf Ali Khan Medal Fund," the "Badshah Nawab Hare Medal Fund," and the "Badshah Nawab LeMesurier Medal Fund," for the award of three medals to the first three students of any religion or sect who pass the fourth-year class final examination of the Bihar School of Engineering.

2. In reply, I am to say that the Lieutenant-Governor has much pleasure in accepting this endowment, and desires that his thanks may be conveyed to Syed Badshah Nawab for his liberality.

3. This letter and the notification drawn up by the Government Solicitor under the Charitable Endowments Act vesting in the Treasurer of Charitable Endowments the Government Promissory Notes will be published in an early issue of the Gazette.

CHARITABLE ENDOWMENTS ACT, 1890.

NOTIFICATION.

It is hereby notified that the Lieutenant-Governor of Bengal, in exercise of the powers conferred by sections 4 and 5 of the Charitable Endowments Act, 1890, and upon the application and with the concurrence of Syed Badshah Nawab of Patna, doth hereby order and direct that the Government securities, the particulars whereof are contained in Parts I, II, and III of the first schedule hereto, shall as from the date of the first publication of this notification vest and be thenceforth vested in the Treasurer of Charitable Endowments for the territories subject to the Government of Bengal to be held by him and his successors (subject to the provisions of the Charitable Endowments Act, 1890, and any rules from time to time framed thereunder by the Governor-General in Council) upon trust to apply the same or the income thereof to the endowment and maintenance of three permanent funds, to be called the "Badshah Nawab Nawab Lootf Ali Khan Medal Fund," the "Badshah Nawab Hare Medal Fund," and the "Badshah Nawab LeMesurier Medal Fund," respectively, in accordance with the provisions made in that behalf in the scheme the particulars whereof are contained in the second schedule hereto, and it is hereby further notified that the said scheme the particulars whereof are contained in the second schedule hereto shall come into operation on the vesting of the said securities in the Treasurer of Charitable Endowments for the territories subject to the Government of Bengal.

THE FIRST SCHEDULE ABOVE REFERRED TO.

Part I.—Government Promissory Note of the 3 per cent. Loan of 1896-97, No. 036708 for Rs. 500.

Part II.—Government Promissory Note of the 3 per cent. Loan of 1896-97, No. 036697 for Rs. 500.

Part III.—Government Promissory Note of the 3 per cent. Loan of 1896-97, No. 036698 for Rs. 500.

THE SECOND SCHEDULE ABOVE REFERRED TO.

1. The first of the endowments hereby created shall be called in memory of the father of the donor, the late Nawab Syed Lootf Ali Khan, c.i.e., the "Badshah Nawab Nawab Lootf Ali Khan Medal Fund," and its object is, and shall be, to provide from the interest of the Government security, the particulars whereof are contained in Part I of the first Schedule to the above notification, a silver medal of the value of Rs. 15 to be awarded every year to such student of the Bihar School of Engineering of any religion or sect as shall pass first in the fourth-year class final examination in that year at the said School of Engineering.

2. The second of the endowments hereby executed shall be called in memory of Lancelot Hare, Commissioner of the Patna Division, the "Badshah Nawab Hare Medal Fund," and its object is, and shall be, to provide from the interest of the Government security, the particulars whereof are contained in Part II of the first Schedule to the above notification, a silver medal of the value of Rs. 15 to be awarded every year to such student of the Bihar School of Engineering of any religion or sect as shall pass second in the fourth-year class final examination in that year at the said School of Engineering.

3. The third of the endowments hereby created shall be called in memory of Havilland LeMesurier, late Magistrate of Patna, the "Badshah Nawab LeMesurier Medal Fund," and its object is, and shall be, to provide from the interest of the Government security, the particulars whereof are contained in Part III of the first Schedule to the above notification, a silver medal of the value of Rs. 15 to be awarded every year to such student of the Bihar School of Engineering of any religion or sect as shall pass third in the fourth-year class final examination in that year at the said School of Engineering.

4. The Trustee to be appointed under section 5 (1) of the Charitable Endowments Act, 1890, to administer the property vested by the above notification shall be the Principal of the Patna College for the time being.

5. The said medals referred to in paragraphs 1, 2, and 3 of this Schedule shall as and when the same become available be awarded by the said Trustee.

6. The income to be derived from the securities mentioned in the above notification and Parts I, II, and III of the first Schedule thereto shall be paid by the Treasurer of Charitable Endowments, in whom such securities are vested by the above notification to the said trustee, who shall on receipt thereof apply the same to the objects of the three several endowments hereby created in the manner hereinbefore declared.

DECLARATION.

No. 3328.—The 18th November 1902.—Whereas it appears to the Lieutenant-Governor of Bengal that land is required to be taken by Government at the public expense for a public purpose, viz., for extending the compound of the Tangail Post-office, in the village of Akurtakur, pargana Kagmari, zilla Mymensingh, it is hereby declared that for the above purpose a piece of land measuring, more or less, 1 bigha 10 chittaks of standard measurement, is required. The land is bounded on the east

and south by the land of the late Babu Durga Mohan Gupta, on the south and west by public roads, and on the north by Government land.

This declaration is made, under the provisions of section 6 of Act I of 1894, to all whom it may concern.

A plan of the land may be inspected in the office of the Subdivisional Officer of Tangail.

W. C. MACPHERSON,
Offg. Secy. to the Govt. of Bengal.

FINANCIAL DEPARTMENT.

NOTIFICATION.

No. 5086Mis.—*The 15th November 1902*—Mr. E. A. Gait, I.C.S., is appointed to be Provincial Superintendent for Bengal in charge of the revision of the *Imperial Gazetteer of India*, with effect from the 20th October 1902.

E. W. COLLIN,
Offg. Secy. to the Govt. of Bengal.

MEDICAL DEPARTMENT.

No. 2764Medl.—*The 11th November 1902*.—Lieutenant-Colonel W. Owen, I.M.S., Factory Superintendent, Bihar Opium Agency, is allowed leave for 17 days under article 343 of the Civil Service Regulations, in extension of the leave granted to him by Notification No. 1639Medl., dated the 7th April 1902.

No. 2780Medl.—*The 15th November 1902*.—Captain C. R. Stevens, I.M.S., having been permitted to return, on the 2nd November 1902, from the leave granted to him in Notification No. 2041T.M., dated the 13th November 1901, the unexpired portion of the leave is cancelled.

No. 2782Medl.—*The 15th November 1902*.—The Notification No. 330T.M., dated the 7th May 1902, appointing Dr. F. W. Twidale to officiate as Civil Medical Officer of Hooghly, is cancelled.

E. W. COLLIN,
Offg. Secy. to the Govt. of Bengal.

NOTIFICATIONS.

No. 2860Medl.—*The 15th November 1902*.—In exercise of the power conferred upon him by section 3 of the Lepers Act, 1898 (III of 1898), the Lieutenant-Governor is pleased to appoint a part of the leper asylum maintained at Purulia by the Mission to Lepers in India and the East to be a leper asylum for the purposes of that Act, and to specify the district of Manbhum as the local area from which lepers may be sent to that asylum.

The Lieutenant-Governor is also pleased, under section 4 of the aforesaid Act, to appoint the Superintendent of the leper asylum at Purulia, maintained by the Mission to Lepers in India and the East, to be the Superintendent of the said asylum for the purposes of the Act.

No. 2861Medl.—*The 15th November 1902*.—In pursuance of section 5 of the Lepers Act, 1898 (III of 1898), the Lieutenant-Governor is pleased to constitute for that portion of the leper asylum at Purulia, maintained by the Mission to Lepers in India and the East, which under Notification No. 2860Medl. of this day's date has been appointed a leper asylum for the purposes of the aforesaid Act, a Board consisting of the following members:—

The Deputy Commissioner, Manbhum,—*President*.
The Civil Surgeon, Manbhum.
Rev. F. Hahn, Superintendent of the leper asylum at Purulia.
Mr. T. A. Bailey, Honorary Organising Secretary to the Mission to Lepers in India and the East.
Rev. A. Notrott, President of the Vorstand of the German Evangelical Lutheran Mission, Purulia.

No. 2865Medl.—*The 17th November 1902*.—In exercise of the power conferred upon him by section 4 of the Lepers Act, 1898 (III of 1898), the Lieutenant-Governor is pleased to appoint the following medical officer to be an Inspector of Lepers in the district of Manbhum:—

The Civil Surgeon of Manbhum.

No. 2866 Medl.—The 17th November 1902.—In exercise of the power conferred upon him by section 15 of the Lepers Act, 1898 (III of 1898), the Lieutenant-Governor is pleased to appoint the Commissioner of Chota Nagpur to be the officer to whom appeals shall be made against the issue or refusal of certificates in Forms B and A, respectively, prescribed in the schedule appended to the Act.

No. 2867 Med.—The 17th November 1902.—Part of the Leper Asylum at Purulia, maintained by the Mission to Lepers in India and the East, having been appointed to be a Leper Asylum for the purposes of the Lepers Act, 1898 (III of 1898), the Lieutenant-Governor is pleased, in exercise of the powers conferred by section 16 of the said Act, to make the following rules for carrying out the purposes of the Act at that Asylum:—

1. (1) The Asylum, as aforesaid, shall be under the management of the Superintendent, appointed under rule 5, and shall be subject to inspection and supervision by the Board appointed under section 5 of the Act.

(2) The Board shall consist of five members.

(3) The Deputy Commissioner of Manbhum shall be *ex-officio* President of the Board, and the Civil Medical Officer of the District shall be an *ex-officio* member.

2. (1) The Board shall meet at least once every three months for the transaction of business, at such place as may be fixed by the President. The President may also call a special meeting at any time. Two members shall form a quorum. The proceedings of the Board shall be recorded in a book to be kept for that purpose.

(2) The Board, at its ordinary meetings, shall appoint two or more of its members, one of whom shall be the Medical Member, to fulfil the requirements of section 13 of the Act until the date of its next meeting.

(3) The Inspection book kept under section 13 shall be laid before the Board, and the Board may enter any remarks that it may deem proper in regard to the condition of the Asylum and such of its inmates as have been admitted under the Act, and any suggestions for the management of the Asylum.

3. The President shall submit to the Local Government a copy of all remarks entered by the members of the Board in the book kept under section 13.

4. When a Magistrate sends a leper to the Asylum under section 8, he shall cause to be attached to the warrant of detention (Form C) a descriptive roll containing the following particulars, namely:—

1. Name.
2. Father's name.
3. Age, height, and general appearance.
4. Sex.
5. Caste or religion.
6. Place of abode.
7. Occupation.
8. Family history, if known.
9. List of property sent with the leper.

5. The Superintendent of the Asylum maintained by the Mission to Lepers in India and the East shall be *ex-officio* Superintendent of the Asylum for the purposes of the Act.

6. (1) The Superintendent shall be responsible for the carrying out of all rules and orders affecting the Asylum, for the maintenance of order and discipline therein, and for the comfort and well-being of the inmates in respect of general and medical treatment.

(2) He shall report to the President, as they occur, all escapes and breaches of discipline among the lepers admitted under the Act, and all sudden deaths and outbreaks of epidemic disease, and the measures taken to prevent the spread of such disease.

(3) In cases of escape of a leper admitted under the Act, he shall also forward a report to the officer in charge of the Purulia police-station, with a description of the leper, to enable the police to take measures to effect a recapture.

7. (1) A qualified medical practitioner, who shall ordinarily be the medical practitioner employed by the Mission to Lepers in India and the East, shall be in medical charge of the Asylum.

(2) His appointment shall, so far as his duties relate to that portion of the Asylum set apart for the purposes of the Act, be subject to the approval of the Inspector-General of Civil Hospitals, and in the performance of those duties he shall be under the professional control and supervision of the Civil Surgeon of the District.

(3) He shall act in immediate subordination to the Superintendent.

(4) In the event of any epidemic disease appearing, he shall at once make a report to the Superintendent.

(5) He shall keep a Case-book in Form V for each leper in the Asylum.

8. All subordinates employed for the purposes of the Act shall be appointed by the Board, but the Superintendent shall have power, in case of a vacancy occurring from any cause, to appoint a temporary substitute.

9. When a leper is admitted into the Asylum under the Act, the Superintendent after satisfying himself that the medical certificate (Form B) and the Magistrate's warrant (Form C) are in order, shall make the necessary entries regarding the leper in the General Register in Form I, and shall see that the necessary treatment is at once accorded by the Medical Officer of the Asylum.

10. (1) The Superintendent shall take charge of, and enter in Register I, all clothes and property brought by any leper into the Asylum.

(2) No article shall be brought into the Asylum without the Superintendent's permission.

11. The scale of diet, the hours of meals, and the general routine of the Asylum shall be prescribed by the Superintendent subject to the approval of the Board, and shall ordinarily be similar to those prescribed by the rules of the Asylum maintained by the Mission to Lepers in India and the East.

12. The inmates of the Asylum shall obey all orders lawfully given by the Superintendent.

13. The pauper lepers shall be employed on such light occupations as may be determined by the Superintendent, subject to the approval of the Board.

14. Lepers admitted under the Act, who are desirous of availing themselves of the facilities for education offered by the Mission to Lepers in India and the East, shall be permitted to do so at their own option.

15. Every leper admitted under the Act shall be permitted the free exercise of his religion and caste-rules, and no distinction in treatment shall be made between Christians and non-Christians.

16. Friends and relatives shall be admitted to visit inmates at stated times with the permission of the Superintendent.

17. Breaches of discipline shall be punished by the Superintendent at his discretion, subject to any general or special directions of the Board.

All orders of punishment shall be entered in a Register kept for the purpose, which shall be submitted regularly for the approval of the Board.

18. The following Registers and books shall be kept by the Superintendent:—

A General Register, in Form I.

A Punishment Register, in Form II;

and the following annual returns shall be furnished to the Board:—

A Return of Admissions and Discharges, in Form III.

A Return of Patients in Hospital, in Form IV.

E. W. COLLIN,

Offg. Secy. to the Govt. of Bengal.

General Register of the Lepers confined in the Asylum for Lepers during the year 190
[See Rules 9 and 18.]

INSTRUCTIONS—

- (1) This register should, as its name implies, be a general register, and should include the name of every leper admitted into the Asylum. It should be closed at the end of each year, a new register being opened with the new year and the patients remaining in the Asylum being re-entered according to order of admission. A separate part of the register should be allotted to females.
- (2) In column 4 the habitual occupation previous to admission should be entered.
- (3) 5 when the name of the race to which the patient belongs does not necessarily indicate the religion, both should be given.
- (4) 6 the place of habitual residence should be entered.

FORM IV.
Return of patients in the Hospital of the Asylum for Lepers for the year 190 .
[See Rule 18]

1	2	3	4	5	6	7	8								
DISEASES. The names and numbers by which diseases are indicated in the second edition of the nomenclature of diseases should be strictly followed.	Remaining from previous year.		Admitted during the year.	Total.	RESULTS.										
	Male.	Female.			Discharged cured.	Discharged otherwise.	Died.	Remaining sick.							
		Male.	Female.	Male.	Female.	Male.	Female.	Male.	Female.	Male.	Female.	Male.	Female.	Male.	Female.

JUDICIAL DEPARTMENT.

No. 4703A.

APPOINTMENTS AND TRANSFERS.

- No. 4547A.—The 12th November 1902.*—Babu Bhagavati Charan Mitra, Subordinate Judge, 24 Parganas, is appointed to be Subordinate Judge of 24 Parganas, Shahabad. Shahabad.
- No. 4551A.—The 12th November 1902.*—Babu Nripendra Nath Sarkar, M.A., B.L., is appointed to act as a Munsif in the district of Burdwan, to be ordinarily stationed at the sadar station, during the absence, on leave, of Babu Bepin Behari Chatterjee, or until further orders.
- No. 4554A.—The 13th November 1902.*—Babu Akhoury Nityanund Singh, B.L., is appointed to act as a Munsif in the district of Tirhut, to be ordinarily stationed at Samastipur, during the absence, on leave, of Babu Mohini Mohun Dutt, or until further orders.
- No. 4476J.—The 14th November 1902.*—Babu Lal Babu is appointed to be an Honorary Magistrate of the Sadar Independent Bench in the district of Gaya. Gaya.
- No. 4583J.—The 17th November 1902.*—Mr James Thomson Maxwell is appointed to be an Honorary Magistrate of the Independent Bench at Jamalpur, in the district of Monghyr.
- No. 4638J.—The 17th November 1902.*—The undermentioned gentlemen are appointed to be Honorary Magistrates of the Benches mentioned opposite their names:—
- | | |
|------------------------|-----------------------------------|
| Babu Baidya Nath Bose, | Sadar Independent Bench, Monghyr. |
| „ Becharam Nandi, | „ „ Bhagalpur |
| „ Nand Lal Das, | „ „ Purnea. |
- No. 4642J.—The 17th November 1902.*—Babu Durga Sankar Sen is appointed to be an Honorary Magistrate of the Independent Bench at Magura, in the district of Jessore.

RESIGNATIONS.

- No. 4473J.—The 14th November 1902.*—The Lieutenant-Governor accepts the resignation tendered by Babu Nand Kishore Lal of his appointment as an Honorary Magistrate of the Sadar Independent Bench, in the district of Gaya.
- No. 4480J.—The 14th November 1902.*—The Lieutenant-Governor accepts the resignation tendered by Babu Promotho Nath Banerjee of his appointment as an Honorary Magistrate of the Chakdaha Independent Bench, in the district of Nadia.
- No. 4547J.—The 17th November 1902.*—The Lieutenant-Governor accepts the resignation tendered by Mr. E. B. Eden of his appointment as a Presidency Magistrate for the town of Calcutta.
- No. 4581J.—The 17th November 1902.*—The Lieutenant-Governor accepts the resignation tendered by Babu Kali Prosad Sing of his appointment as an Honorary Magistrate of the Independent Bench at Banka, in the district of Bhagalpur.
- No. 4674J.—The 18th November 1902.*—The Lieutenant-Governor accepts the resignation tendered by Babu Krishna Nath Roy of his appointment as an Honorary Magistrate of the Krishnagar Independent Bench, in the district of Nadia.

POWERS.

- No. 4589A.—The 14th November 1902.*—Mr. W. B. Heycock, Officiating Joint-Magistrate, Darbhanga, is vested, under section 407 (2) of the Code of Criminal Procedure, with power to hear appeals from convictions by Magistrates of the second and third classes.
- No. 4606A.—The 14th November 1902.*—In exercise of the power conferred by sub-section (1) of section 565 of the Code of Criminal Procedure, 1898, the Lieutenant-Governor is pleased to empower the following Magistrate of the first class in the district of Dacca, viz., Mr. M. F. Gauntlett, to order, at the time of passing sentence of imprisonment on any person referred to in that sub-section, that the residence or change of residence of such person after release shall be notified as provided by the rules made under sub-section (3) of the said section.
- Mr. Gauntlett is also vested with powers under sections 110, 133, 186, 260, 407, and 524 of the Code of Criminal Procedure.

No. 4644A.—*The 17th November 1902.*—Mr. R. B. Mehta, Officiating Joint-Magistrate, Lal Bagh, Murshidabad, is vested with the power to try summarily the offences mentioned in section 260 of the Code of Criminal Procedure.

No. 4477J.—*The 14th November 1902.*—Babu Lal Babu, who has been appointed to be an Honorary Magistrate of the Sadar Independent Bench, in the district of Gaya, is vested with the powers of a Magistrate of the third class.

No. 4545J.—*The 17th November 1902.*—Under the authority vested in him by section 357, sub-section (2) of the Code of Criminal Procedure, Act V of 1898, the Lieutenant-Governor empowers Babu Lokendra Nath Mukerjee, Honorary Magistrate of the Sadar Regular Bench, in the district of Hazaribagh, to take down evidence in criminal cases in the English language.

No. 4534J.—*The 17th November 1902*—Mr. James Thomson Maxwell, who has been appointed to be an Honorary Magistrate of the Independent Bench at Jamalpur, in the district of Monghyr, is vested with the powers of a Magistrate of the third class.

No. 4640J.—*The 17th November 1902*—The undermentioned gentlemen, who have been appointed to be Honorary Magistrates of the benches mentioned opposite their names, are vested with the powers of a Magistrate of the third class:—

Monghyr.	Babu Baidya Nath Bose, Sadar Independent Bench, Monghyr.
Bhagalpur.	„ Becharam Nandi, „ „ Bhagalpur.
Purnea.	„ Nand Lal Das, „ „ Purnea.

No. 4643J.—*The 17th November 1902.*—Babu Durga Sankar Sen, who has been appointed to be an Honorary Magistrate of the Independent Bench at Magura, in the district of Jessore, is vested with the powers of a Magistrate of the third class.

C. E. BUCKLAND,
Chief Secy. to the Govt. of Bengal.

NOTIFICATION.

No. 4659J.—*The 17th November 1902.*—Under the provisions of section 13 of the Bengal, North-Western Provinces and Assam Civil Courts Act, 1887, the Lieutenant-Governor is pleased to fix, with effect from the 15th December, the local limits of the jurisdictions of the several Civil Courts (Munsifs) in the Dinajpur district as follows:—

Munsif.	Jurisdiction.	Munsif.	Jurisdiction.
Sadar	{ Thana Birganj.	Balughat	{ Thana Patuitala.
	„ Bunshihari.		„ Parsa.
	„ Dinajpur or Kotwali.		„ Patiram.
	„ Parbatipur.		„ Gangarampur.
	„ Nawabganj		„ Chintaman
Raiganj	{ „ Pirganj.	Thakurgaon...	{ Thana Thakurgaon.
	„ Thana Raiganj.		„ Ranisankai.
	„ Kaliganj.		

C. E. BUCKLAND,
Chief Secy. to the Govt. of Bengal.

PUBLIC WORKS DEPARTMENT.

ESTABLISHMENT.

The 13th November 1902.

No. 228.—Mr. F. A. A. Cowley, Executive Engineer, third grade, was, on return from leave, attached to the Chief Engineer's Office from the 13th to the 15th November 1902.

No. 229.—Mr. F. A. A. Cowley, Executive Engineer, third grade, attached to Chief Engineer's Office, is posted to the Sone Circle, and will be attached to the Superintending Engineer's Office until further orders.

The 18th November 1902.

No. 231.—Mr. C. A. White, Superintending Engineer, third class, temporary rank, Orissa Circle, is granted privilege leave for three months, combined with furlough for eleven months and twenty days, under articles 340(b) and 264A. of the Civil Service Regulations, with effect from the 12th December 1902, or such subsequent date as he may avail himself of it.

No. 232.—Mr. A. S. Thomson, Superintending Engineer, third class, is, on return from leave, appointed Superintending Engineer of the Orissa Circle until further orders.

No. 233.—Mr. Kashi Ram Bery, Assistant Engineer, is transferred in the interests of the public service from the office of the Superintending Engineer, Gandak Circle, to the Champaran Division.

D. B. HORN,
Secy. to the Govt. of Bengal.

LOCAL COMMUNICATIONS.

Dated the 18th November 1902.

No. 225 L.C.—Declaration.—Whereas it appears to the Lieutenant-Governor of Bengal that land is required to be taken by Government at the expense of the District Board of Dacca for a public purpose, viz., for the improvement of the third section of the Dacca-Goalundo Road, in miles Nos. 32 to 44, from Manickgunge to Shivalaya, in the villages of Joynagar, Rathura, Baniajuri, Pukuria, Bavangail, Kalagaria, Katrasin, and Boali in parganas Chand Protap, Silim Protap, Isakabad, Khalilabad, Jalalpur, Surjabad, Kutubpur, and Vikrampur and tappas Aurangabad and Khalsi, zilla Dacca, it is hereby declared that for the above purpose 11 pieces of land, measuring, more or less, 29 bighas 1 cottah 18½ dhurs of standard measurement, and bounded as shown below, are required within the aforesaid villages:—

Bounded on the north by the District Board road, on the east by the lands belonging to Babus Hem Chandra Ray and Dinesh Chandra Ray of Dhankora, on the south by the lands belonging to Babus Hem Chandra Ray and Dinesh Chandra Ray of Dhankora and Babus Bisveswar Ray and Kali Prasanna Ray of Navagram and others, and on the west by the lands belonging to Babus Bisveswar Ray and Kali Prasanna Ray of Navagram and others.

BLOCK No. I.
Plan No. 1.—Miles Nos. 32 and 33, village Joynagar, pargana Chand Protap and tappa Aurangabad.

Bounded on the north by the District Board road, on the east by the land of Rasik Majumdar of Baniajuri, on the south by the land of Rhiday Babu of Tara and others, and on the west by the lands of Madhab Babu of Rathura and others.

BLOCK No. II.
Plan No. 2.—Mile No. 34, village Rathura, pargana Silim Protap and tappa Aurangabad.

Bounded on the north by the District Board road, on the east by the lands of Ananda Majumdar and others, on the south by the lands of Ananda Majumdar and Madhab Majumdar of Rathura and others, and on the west by the lands of Madhab Majumdar and others.

BLOCK No. III.
Plan No. 3.—Mile No. 34, village Rathura, pargana Silim Protap and tappa Aurangabad.

BLOCK No. IV.
Plan No. 4.—Mile No. 35, village Baniajuri, parganas Isakabad and Khalilabad.

BLOCK No. V.
Plan No. 5.—Mile No. 35, village Baniajuri, parganas Isakabad and Khalilabad.

BLOCK No. VI.
Plan No. 6.—Mile No. 37, village Pukuria, pargana Jalalpur.

Bounded on the north by the District Board road, on the east by the lands of Shiva Sundari Debi and others of Mahadebpur, on the south by the lands of Shiva Sundari Debi and Durga Nath Mallick and others, and on the west by the lands of Mukunda Bhattacharji of Kalagaria and others.

BLOCK No. VII.
Plan No. 7.—Mile No. 39, village Barangail, pargana Sujabad-Kutubpur.

Bounded on the north by the District Board road, on the south by the lands of Babu Kali Kishore Ray of Semulia and Megh Lal Majumdar of Shily, on the east by the lands of Babu Kali Kishore Ray of Semulia, and on the west by the land of Umesh Chandra Sen of Mowhaly.

BLOCK No. VIII.
Plan No. 8.—Mile No. 40, village Kalagaria, pargana Sujabad-Kutubpur.

BLOCKS NOS. IX AND X.
Plan No. 9.—Miles Nos. 43 and 44, villages Khatrasin and Boali, pargana Vikrampur and tappa Khalsi.

Bounded on the north by the District Board road, on the east by the lands of Babus Parbati Sankar Ray and others, and on the south and west by the lands of Apsar Mia and others.

BLOCK No. XI.

This declaration is made, under the provisions of section 6 of Act I of 1894, to all whom it may concern.

A plan of the land may be inspected in the office of the District Engineer of Dacca.

W. A. INGLIS,
Offg. Secy. to the Govt. of Bengal.

IRRIGATION DEPARTMENT.

The 17th November 1902.

Notification No. 230.—Agreeably to section II of the "Canals Act, V (B.O.) of 1864," it is hereby declared that the provisions of the said Act shall, from and after the date of publication of this notification, be applicable to the undermentioned navigable channel for the navigation of steamers and boats:—

Ganges River.—Northwards from Goalundo to where it crosses the boundary between the United Provinces of Agra and Oudh and Bengal near Chausa.

The 18th November 1902.

No. 234.—Declaration.—Whereas it appears to the Lieutenant-Governor of Bengal that land is required to be taken by Government at the public expense for a public purpose, viz., for a Restshed on the right bank of Doodhai Canal in the village of Koinchi, pargana Killa Madhpoor, zilla Cuttack, it is hereby declared that for the above purpose, a piece of land measuring, more or less, 1 rood and 11·5 poles of standard measurement, bounded on the north, south, east and west by garden lands, is required within the aforesaid village of Koinchi.

This declaration is made, under the provisions of section 6 of Act I of 1894, to all whom it may concern.

A plan of the land may be inspected in the office of the Land Acquisition Officer, Irrigation Branch, Cuttack.

[Fourth Publication.]

The 28th October 1902.

No. 214.—Notification.—It is hereby notified for general information that under the powers vested in him by sections XI and XII of Act V (B.O.) of 1864, His Honour the Lieutenant-Governor of Bengal proposes to pass the following rules for the management of the line of navigation (approximately 4,870 feet in length) connecting the river Madhumati with the river Noboganga in the Narail subdivision of the district of Jessore and passing through the villages of Telkora and Bordia in the said subdivision and for regulating the conduct of persons employed for any of the purposes of the said Act:—

1. Every vessel on entering the above channel shall be liable to measurement by the officer in charge of the toll station for the purpose of ascertaining the amount of toll to be levied, and shall not be permitted to proceed through the channel unless and until such toll has been paid.

2. The maundage of every vessel, whether laden or empty, shall for the purposes of the Canals Act and of these rules be determined by the following measurements:—

- (a) The product of half the length of the vessel from stem to stern measured along the water line, multiplied by the interior greatest breadth of the vessel and by the depth from the water-line to the bottom of the vessel, shall represent the number of maunds upon which toll shall be levied.
- (b) The measurement of the length is to be made in feet rejecting inches. The measurement of the breadth and depth is to be made in feet and quarters of a foot, rejecting portions of less than a quarter of a foot.
- (c) In the case of rafts the product of length multiplied by the average breadth and depth below water-line shall represent the maundage.
- (d) In calculating the amount of toll to be levied any portion of 100 maunds that is less than 50 maunds shall be omitted, and a fraction exceeding 50 maunds shall be charged as 100 maunds only.

3. No raft shall be admitted into the channel that exceeds 50 feet in length or 5 feet in breadth. No timber, bamboos or grass will be admitted unless securely and compactly bound together in the form of a raft.

4. Every vessel or raft entering the channel shall, on payment of the prescribed toll, be furnished with a ticket. The ticket will specify the date and hour of entry, the maundage of the vessel or raft and the amount of toll paid. It shall also contain the name and residence of the person in charge of the vessel, and shall be signed by the toll-collector issuing it.

5. No vessels whatever except such as are employed on works connected with the maintenance or improvement of the channel shall be exempted from payment of toll.

6. Every vessel or raft which has paid toll shall be allowed 6 hours to pass through the channel, and any vessel or raft remaining in any point of the channel longer than the period aforesaid shall, for each day, or part of a day, in excess of such period be liable to fine under rule 7.

7. Any person infringing any of the above rules or resisting or wilfully interfering with their enforcement shall be liable, under section XI of the Canals Act, to a fine not exceeding Rs. 50 for any one offence.

8. The Supervisor shall select sites for the storage of the cargo of boats seized for breach of any of the provisions of the Canals Act.

D. B. HORN,

Secy. to the Govt. of Bengal.

RAILWAY DEPARTMENT.

The 18th November 1902.

No. 228 R.—Declaration.—Whereas it appears to His Honour the Lieutenant-Governor of Bengal that land is required to be taken by Government at the public expense for a public purpose, viz., for the extension of the Somastipur Railway station yard, in the village of Bahadurpur, pargana Saraisa, zilla Darbhanga, it is hereby declared that for the above purpose a piece of land measuring, more or less, 1 bigha 15 cottas 1·44 chattak of standard measurement (corresponding to 2 roods and 12½ poles), bounded on the north, east, and south by the railway land, and on the west by pucca road, is required within the aforesaid village of Bahadurpur, pargana Saraisa, zilla Darbhanga.

This declaration is made, under the provisions of section 6 of Act I of 1824, to all whom it may concern.

A plan of the land may be inspected in the office of the Collector of Darbhanga.

W. A. INGLIS,

Offg. Secy. to the Govt. of Bengal.

MARINE DEPARTMENT.

The 18th November 1902.

No. 148 Marine.—Mr. A. W. J. Turner, Acting Branch Pilot, is confirmed in that grade, with effect from the forenoon of the 13th November 1902, *vice* Mr. G. M. Anderson, Senior Branch Pilot, retired.

D. B. HORN,

*Secy. to the Govt. of Bengal.**The 18th November 1902.*

No. 149 Marine.—Notification.—The following bye-laws, which have been framed by the Commissioners of the Port of Calcutta, under section 126, clauses (c) and (i), of the Calcutta Port Act, 1890, for the safe and convenient use of the Commissioners' Dry Docks, are published for general information. They will be taken into consideration on the expiry of a month after their publication in the Gazette, and the Lieutenant-Governor will be pleased to consider any suggestions or observations which may be made regarding them by any person within that period.

D. B. HORN,

Secy. to the Govt. of Bengal.

Proposed Bye-laws for the safe and convenient use of the Port Commissioners' Dry Docks, framed by the Commissioners under the Calcutta Port Act, 1890, section 126, clauses (c) and (i).

1. APPLICATIONS to dock vessels in the Dry Docks shall be made in writing to the Deputy Conservator in the printed form attached (Appendix A), which may be obtained at the Harbour Master's office. Such applications shall be entered in the order in which they are received in an Entry List. Any steam-vessel, but not a sailing vessel, may be entered for docking before her arrival.

2. No vessel shall be entitled to be admitted into the Dry Docks without having the time and manner of her entry into, and of her remaining in, the Dry Docks previously regulated at the office of the Deputy Conservator in books to be kept there for that purpose. The Owner, Agent or Master of a vessel shall, therefore, as soon as practicable after her arrival in the Port of Calcutta, submit an application, under his own signature, for regulation, in the form attached (Appendix B).

3. Until the Deputy Conservator shall have issued to the Master a regulation order in the form attached (Appendix C), no such application as aforesaid shall be deemed to have been accepted, and no regulation as to the time and manner of the entry of a vessel into a Dock, or of her remaining there, shall be deemed to have been made.

4. Prior to the time arranged for the admission of any vessel into the Dry Docks, the following arrangements must be carried out on board the vessel, and order taken with reference thereto, viz.:—

Suitable hawsers and heaving lines must be in readiness on each side fore and aft and gantlines rove for mast-head pendants.

The vessel must be in ballast trim, must be upright and as nearly as possible on even keel, and the bilges must be perfectly dry fore and aft and kept so. All side and stern ports to be shut.

The ballast tanks must either be pressed full with their doors properly secured or pumped quite dry, and when possible, with their doors off ready for examination.

In the event of any Owner, Agent or Master being desirous of docking a vessel with cargo, the total weight of vessel and cargo shall be declared, and the Commissioners may refuse to dock such vessel if they consider it right to do so without assigning any reason for their refusal.

The Owner, Agent or Master of the vessel shall likewise be bound to make known to the Commissioners in writing on the application (Appendix B) the style of construction of the vessel's bottom, *e.g.*, whether she has a bar-keel, a keel-plate or camber in the keel, or any overhanging, or other special construction.

The vessel's crew shall render every assistance when docking and undocking, and if, in the opinion of the Deputy Conservator, extra hands are required on board, they shall for that purpose be provided by the applicant.

If so required by the Dock Officers, the awnings shall be furled.

The vessel may be inspected by a Dock Officer, and should he find that any of the abovementioned provisions of this bye-law have not been carried out, the vessel may be refused admission into the Dry Docks.

5. Save as hereinafter mentioned, no vessel shall remain in the Dry Docks longer than the time for which such vessel shall have been regulated. If before the expiration of the time for which a vessel has been regulated the Deputy Conservator shall be satisfied, on written application to be made to him for that purpose, that circumstances not known when the vessel was regulated, or beyond the control of the parties engaged in the work, will prevent the completion within the period for which the vessel was regulated, of work which can only be done in a Dry Dock, a new regulation may, if the Deputy Conservator thinks proper, be made for such further time, but no vessel shall be allowed to remain in the Dry Docks for more than four days in all without special sanction from the Vice-Chairman of the Commissioners.

6. In regulating the admission of vessels into the Dry Docks preference shall be given to vessels with a gross tonnage of not less than 1,000 tons, and the Deputy Conservator shall likewise be at liberty, with the approval of the Vice-Chairman, to give priority of regulating to such vessels as shall require the use of the Docks for the least time not exceeding 24 hours, without regard to the order in which such vessels stand on the list. But no vessel to which priority shall have been given under this provision shall be entitled, under any circumstances, to remain in the Dry Docks beyond the time for which she was regulated.

7. If any vessel shall not leave the Dry Docks at the expiration of the period for which she was regulated or re-regulated, the Deputy Conservator may, with the approval of the Vice-Chairman, remove any such vessel.

8. The Deputy Conservator may, in his discretion, allow any vessel, which shall have put back in a damaged condition, or which shall, under any other circumstances, be in such a condition as may in his judgment render her immediate admission to the Dry Docks actually necessary, to enter the Dry Docks in priority to all other vessels standing on the regulating list.

9. Blocks, shores and stages will be provided by the Commissioners as follows:—

Blocks.—One set for the length given at the time of regulating.

Bilge Shores.—In such number as may be required.

Horizontal Shores.—Two for every fifteen feet of the length given at the time of regulating.

Stages and stage-ropes with poles or outriggers.—A sufficient number to make one tier of stages round the vessel.

10. No block, shore, stage, pole, rope, or other article belonging to the Commissioners may be removed without the permission of the Commissioners' Officer in charge of the Docks.

11. No article belonging to the Dry Docks may be destroyed, cut, or otherwise damaged or allowed to go adrift, nor timber or other heavy thing thrown down upon the steps and stonework, nor passed into or out of the Docks otherwise than by the means prepared for that purpose.

12. No ballast, coals or any weights shall be shifted in, or taken on board, a vessel during the time she is in a Dry Dock.

And no out-board work shall be carried on in regard to a vessel during the time she is being docked or undocked.

13. Any breach of bye-laws Nos. 4, 5, 7, 10, 11 and 12 shall be punishable with a fine not exceeding Rs. 500, and, when the breach is a continuing breach, to a further fine which may extend to Rs. 200 for every day after the first during which the breach continues.

APPENDIX A.

To

THE DEPUTY CONSERVATOR,

Port of Calcutta.

SIR,

I HAVE to request that the undermentioned vessel may be received into a Dry Dock on or about the_____

Name of vessel_____

Name of Owner_____

Description of work to be done in Dry Dock—_____

For how many days the use of the Dock will be required_____

Signature of Applicant.

Date_____

APPENDIX B.

To

THE DEPUTY CONSERVATOR,

Port of Calcutta.

SIR,

I ^I_{WE} have to request that you will arrange to take the undermentioned vessel, of which ^{I am}_{we are} the *_____ into Dry Dock:—

Name of vessel_____

Length_____

Beam_____

Depth of hold_____

Gross tonnage_____

Draft forward_____

Draft aft_____

Displacement weight of vessel at draft stated_____

Whether keel is a keel-plate or bar-keel_____

Date and hour when vessel will be ready to dock_____

Description of work to be done in dock_____

For how many days the use of the dock will be required_____

I hereby agree to accept the terms and conditions imposed by the bye-laws for the regulation of the Commissioners' Dry Docks under Calcutta Port Act, 1890, section 126 (c) and (i).

*Signature*_____

•

of S. _____

*Calcutta*_____

NOTE.—Special notice must be given if a vessel has any overhang or any camber in her keel, or other special construction.

* Please state at these places whether applicant is Owner, Agent or Master.

APPENDIX C.

To

THE COMMANDING OFFICER,

S. _____

SIR,

ARRANGEMENTS have been made for the admission of the S. _____ into the Kidderpore Dry Docks at _____ M. on the _____ day of _____. Your attention is invited to No. 4 of the Commissioners' bye-laws which is as follows:—

"Prior to the time arranged for the admission of any vessel into the Dry Docks, the following arrangements must be carried out on board the vessel, viz:—

"Suitable hawsers and heaving lines must be in readiness on each side fore and aft, and gantlines rove for mast-head pendants.

"The vessel must be in ballast trim, must be upright, and as nearly as possible on even keel and the bilges must be perfectly dry fore and aft and kept so. All side and stern ports to be shut.

"The ballast tanks must either be pressed full with their doors properly secured or pumped quite dry, and when possible, with their doors off ready for examination.

"The vessel's crew shall render every assistance when docking and undocking, and if, in the opinion of the Deputy Conservator, extra hands are required on board, they shall for that purpose be provided by the applicant.

"If so required by the Dock Officers, the awnings shall be furled.

"The vessel may be inspected by a Dock Officer, and should he find that any of the above-mentioned provisions of this bye-law have not been carried out, the vessel may be refused admission into the Dry Docks."

The vessel shall undock at _____ M. on the _____ day of _____ and water will be let into the Dock at _____ M. on that day, before which the vessel's Officers shall satisfy themselves that sea-cocks, bilge-holes, and other apertures in the vessel's bottom are securely closed.

Notice must be given by you to the Harbour Master of the exact time your vessel will be undocked, in order that he may make his arrangements.

Deputy Conservator.

PORT COMMISSIONERS' OFFICE:

Calcutta, the

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THE COMMISSIONERS FOR THE PORT OF CALCUTTA.

Notice for the guidance of Masters and Agents of vessels using the Kidderpore Dry Docks.

1. THE period of a vessel's occupation of the Dry Docks counts from the time when the caisson was placed in position after entering till she has cleared the Dry Dock entrance when leaving.

2. The vessel must be in ballast trim, must be upright, and as nearly as possible on even keel, otherwise she may be refused admission to the Dry Docks. All side and stern ports to be shut. See Bye-law No. 4.

3. The trim of a vessel is not to be altered, nor heavy weights moved on boardship while in the Dry Docks. See Bye-law No. 12.

4. Water ballast is not to be run out of a vessel while in the Dry Docks, except when written sanction has been obtained from the Deputy Conservator to do so and after the vessel has accepted in writing all risks. The necessary form of application may be obtained from the Officer in charge of the Dry Docks. See Bye-law No. 12.

5. Plugs are not to be removed from a vessel's bottom and no bilge water is to be run out or thrown or pumped out into the Dry Docks without the sanction of the Officer in charge of the Docks. See Bye-law No. 4.

6. Galley refuse, sweepings and rubbish are not to be thrown about the Dock premises, but must be deposited in the proper receptacle which will be provided by the Officer in charge of the Dry Docks. See Section 137, Calcutta Port Act, III of 1890.

7. It is important that early intimation should be given to the Officer in charge of the Dry Docks when any work is to be carried on after 6 P.M., or before 6 A.M., or during the night, or on Sunday. Sunday and night work.

8. All persons working in the Dry Docks shall obey the orders of the Deputy Conservator, or any officer acting under his orders.

The 18th November 1902.

No. 150 Marine.—Mr. R. S. Smyth, Senior Master Pilot, is granted privilege leave for three months, under article 746 (a) of the Civil Service Regulations, with effect from the 3rd November 1902.

D. B. HORN,

Secy. to the Govt. of Bengal.

The 18th November 1902.

No. 151 Marine.—The following notification, No. 2333 ^{Sanitary} _{Plague}, dated the 31st October 1902, issued by the Government of India, is republished for general information.

D. B. HORN,

Secy. to the Govt. of Bengal.

No. 2333 ^{Sanitary} _{Plague}, dated Simla, the 31st October 1902.

NOTIFICATION—By the Government of India, Home Department.

In exercise of the powers conferred by section 2, sub-section (1) of the Epidemic Diseases Act, 1897 (III of 1897), and by the same sub-section as applied by the notification of the Government of India in the Foreign Department, No. 4431.A., dated the 4th February 1897, to all territories in India which are under the administration of the Governor-General in Council, but are not part of British India, including all railway lands, and the territories for the time being administered by the Agent to the Governor-General in Baluchistan as such Agent, the Governor-General in Council is pleased to prohibit the bringing, taking sending or consigning of soiled linen and used bedding (except when carried as the personal baggage of travellers), rags and waste paper from the Cawnpore district of the United Provinces into or through any other part of India to which the provisions of the said Act extend or have been applied.

The 18th November 1902.

No. 152 Marine.—In supersession of this Department's Notification No. 116 Marine of 1st September 1902, it is hereby notified that Mr. W. H. Ridler, Junior Master Pilot, is granted, under article 745, Civil Service Regulations, leave on medical certificate for one year, with effect from the 9th August 1902.

D. B. HORN,

Secy. to the Govt. of Bengal.

SUBORDINATE CIVIL SERVICE.

No. 4704A.

No. 4582A.—*The 14th November 1902*—Babu Monmohan Mukherjee, Sub-Deputy Collector, Kushtia, Nadia, is transferred to the head-quarters station of that district.

No. 4682A.—*The 18th November 1902.*—Babu Kaylash Chunder Chatterjee, Sub-Deputy Collector, Narail, Jessore, is transferred to the Bagerhat subdivision of the Khulna district.

No. 4384A.—*The 18th November 1902.*—Babu Hari Nath Paramanik, Sub-Deputy Collector, Jamtara, Sonthal Parganas, is transferred to the Pakaur subdivision of that district.

No. 4686A.—*The 18th November 1902.*—Babu Nagendra Lall Mittra, Sub-Deputy Collector, Godda, Sonthal Parganas, is transferred to the Jamtara subdivision of that district.

No. 4688A.—*The 18th November 1902.*—Maulvi Syed Reza Karim Ahmed, substantive Bhagalpur, *pro tempore* Sub-Deputy Collector, Bhagalpur, is transferred to the Sonthal Parganas. Godda subdivision of the Sonthal Parganas district.

No. 4690A.—The 18th November 1902.—The following substantive *pro tempore* Sub-Deputy Collectors are posted to the stations mentioned against their names:—

Khulna.	Babu Madhab Chandra Misra	...	Satkhira, Khulna.
Jessore.	„ Jyotish Chandra Roy	...	Narail, Jessore.
Bhagalpur.	„ Birendra Kumar Bose	...	Bhagalpur.
Ditto.	Mr. F. Hollow	...	Ditto.
Rajshahi.	Babu Aswini Kumar Datta	...	Rajshahi.
Faridpur.	„ Surjya Kumar Guha	...	Faridpur.
Mymensingh.	„ Atul Gopal Ray	...	Kishorganj, Mymensingh.

C. E. BUCKLAND,
Chief Secy. to the Govt. of Bengal.

REGISTRATION DEPARTMENT.

No. 4578A.—The 13th November 1902.—Maulvi Syed Ibu Murtaza is appointed to act as Rural Sub-Registrar of Jagadispur, Shahabad, during the absence, on deputation, of Maulvi Muhammad Umar Khan, or until further orders.

No. 2228P.—The 18th November 1902.—Babu Girindra Nath Sen is appointed to be Joint Sub-Registrar of Salkopa, at Harisankarpur, in the district of Jessore.

C. E. BUCKLAND,
Chief Secy. to the Govt. of Bengal.

JAIL DEPARTMENT.

No. 12748, dated the 15th November 1902.—Captain F. H. Watling, I.M.S., made over charge of the Midnapur Central Jail to Captain C. R. Stevens, I.M.S., on the afternoon of the 6th November 1902.

No. 12853, dated the 17th November 1902.—Captain E. A. R. Newman, I.M.S., made over charge of the Bhagalpur Central Jail to Captain J. M. Woolley, I.M.S., on the afternoon of the 10th November 1902.

M. S. EMERSON,
for Insp.-Genl. of Jails, Bengal.

CIVIL MEDICAL DEPARTMENT, BENGAL.

No. 11245, dated the 15th November 1902.—Assistant Surgeon Gouri Prosad Bhatta-chargee is temporarily appointed to the Hooghly Imambarah Hospital until further orders, with effect from the 2nd November 1902.

No. 11248, dated the 15th November 1902.—Assistant Surgeon Gouri Prosad Bhatta-chargee did supernumerary duty at the Medical College Hospital, Calcutta, on the 31st October 1902.

No. 11266, dated the 15th November 1902.—Assistant Surgeon Premananda Das did supernumerary duty at the Medical College Hospital, Calcutta, from the 23rd to the 26th October 1902.

No. 11297.—The 17th November 1902.—Assistant Surgeon Surendra Nath Sirkar is appointed to the Madaripur Subdivision and Dispensary in the Faridpur district, with effect from the 6th September 1902.

No. 11300.—The 17th November 1902.—Assistant Surgeon Surendra Nath Sirkar did supernumerary duty at the Medical College Hospital, Calcutta, from the forenoon of the 12th August to the afternoon of the 3rd September 1902.

R. D. MURRAY, M.B., LIEUT.-COL, I.M.S.,
for Inspector-General of Civil Hospitals, Bengal.

SMALL CAUSE COURT NOTICE.

NOTICE is hereby given, under section 7 of Act IX of 1887, that the Judge of the Courts of Small Causes of Hooghly, Serampore and Howrah will, in the month of January 1903, sit in those Courts on the undermentioned dates, Sundays and holidays excepted :—

Hooghly Small Cause Court, from	9th to 12th January 1903, both days inclusive.
Serampore " "	13th to 23rd " " "
Howrah " "	24th to 31st " " "

NUNDO LAL DEY, Offg. Judge, Small Cause Courts,
Serampore, Hooghly and Howrah.

Dated Serampore, the 12th November 1902.

Sheriff's Office, the 17th September 1902.

NOTICE is hereby given that the Fifth Criminal Sessions of the year 1902 of the High Court of Judicature at Fort William in Bengal, for the Town of Calcutta and Factory of Fort William, and the places subordinate thereto, will be held at the Court-house, in the Town of Calcutta, on Monday, the first day of December next, at 11 o'clock in the forenoon, and thence forward from day to day until the said Sessions be over. And it is hereby proclaimed that all persons who are to prosecute any of the prisoners to be brought up for trial at the said Sessions be present then and there to prosecute.

H. M. RUSTOMJEE, *Sheriff.*

সরকারি আফিস, সন ১৯০২ সাল তারিখ ১৭ই সেপ্টেম্বর।

সকলকে সমাচার দেওয়া যাইতেছে যে হবে বাঙ্গালার কোর্ট উইলিয়ম দুর্গের অধীন শহর কলিকাতার ও অন্যান্য স্থানের কোর্জদারী বিচার নিষ্পত্ত্য জন্য আগামী সন ১৯০২ সালের ১লা ডিসেম্বর সোমবার বেলা ১১ ঘটিকার সময় এবং যে পর্যন্ত সেশিয়ানের কার্য শেষ না হয় প্রতিদিন উক্ত সময়ে কলিকাতার হাইকোর্টের আপন আদালত ঘরে সন ১৯০২ সালের পঞ্চম ক্রিমিনেল সেশিয়ান বসিবেক এবং এতদ্বারা প্রচার করা যাইতেছে যে, যে সকল ব্যক্তি কোন কয়েদির বিরুদ্ধে কোর্জদারী মিছিল করিবেক তাহার উক্ত স্থানে উক্ত সময়ে হাজির থাকিয়া যৌকদ্দমা করে ইতি।

এইচ, এম্, রস্তমজী, সরিফ।

HIGH COURT NOTICES.

NOTIFICATION.

THE following Rules made by the High Court of Judicature at Fort William in Bengal are published for general information.

By order of the High Court,

R. SHEEPHANKS,
Registrar.

The 8th November 1902.

Rules of the High Court, Calcutta.

APPELLATE SIDE.

INTRODUCTORY RULE.

THE following Rules are issued under the powers vested in the High Court by section 13 of the Statute 24 and 25 Vic., Cap. 164, by the Letters Patent of the High Court of Judicature at Fort William in Bengal, 1865, and by the Code of Civil Procedure, and may be cited as "The Rules of the High Court, Calcutta, Appellate Side." They shall come into force on the 1st January 1903, and shall also apply, so far as may be practicable, to all proceedings taken on and after that day in all causes and matters then pending on the Appellate Side of the Court.

All Rules and Orders previously issued by the Sadar Court and the High Court are hereby annulled, and the following Rules shall stand in lieu thereof.

PART I.—GENERAL RULES.

CHAPTER I.—BUSINESS NOT OF A JUDICIAL CHARACTER.

The English Committee.

I. There shall be a Standing Committee of the Judges composed of the Chief Justice and at least four other Judges to be appointed from time to time by the Chief Justice, which shall be called the English Committee.

II. The English Committee shall be charged with the control and direction of the Subordinate Courts, so far as such control and direction are exercised otherwise than judicially.

III. The English Committee shall have power, without reference to the Judges generally,—

- (a) To dispose of all correspondence within its own Department, urgent in its nature and not of general importance;
- (b) To make recommendations for the appointment of Subordinate Judges, and for the promotion, degradation, or suspension of Subordinate Judges and Munsifs;
- (c) To issue Circular Orders and General Letters to the Mufassal Courts;
- (d) And to dispose of any matter which might ordinarily have been dealt with by the Judge in charge of the English Department, and which he may have referred to the Committee for their opinion.

IV. Every order passed and every draft letter approved by the English Committee, shall be signed by not less than three members of the Committee.

Judge in the English Department.

V. One Judge, being a member of the English Committee, shall have executive charge of the English Department, by which is meant the administrative business of the Court on its Appellate Side: Provided that the Chief Justice may at any time direct that the powers conferred on the Judge in the English Department shall be exercised by two or more Judges of the Court, who shall also be members of the English Committee, and who may apportion the duties of the post between them, subject to the approval of the Chief Justice.

Powers of the Judge in the English Department.

VI. Orders on all correspondence and on all returns and statements (not being returns to precepts and judicial orders, or explanations called for by particular Judges or Benches) shall ordinarily be passed under his powers as hereinafter specified by the Judge in the English Department (or by the Registrar under his superintendence). Provided that the Sessions statement which is required from each Sessions Judge at the close of every Sessions,

shall be submitted for the orders of the Division Court sitting for the disposal of the Criminal Business.

VII. The Judge in the English Department is empowered to pass orders on—

- (a) Matters arising out of the revision of all periodical returns and statements furnished by the Subordinate Civil and Criminal Courts, except the Sessions statements above referred to.
Revision of periodical statements.
- (b) The leave of Munsifs, recommendations to the Local Government for the transfer of Subordinate Judges and Munsifs, and the nomination of Munsifs subject to consultation with the Chief Justice.
Appointments, etc., of Subordinate Civil Judges.
- (c) Recommendations to Government for the investing of Subordinate Judges and Munsifs with extraordinary powers, *e.g.*, Small Cause Court powers, powers under the Land Acquisition Act, etc., etc.
Admission, etc., of Pleaders and Mukhtars.
- (d) Applications and routine references connected with the admission and enrolment of Pleaders and Mukhtars under Act XVIII of 1879.⁽¹⁾
- (e) All other correspondence not relating to matters judicial, or to orders of other Judges, unless there be, as to any subject, an express rule to the contrary, or unless the importance of the subject may render it, in his opinion, fit to be laid before a greater number of Judges.
Other correspondence.

Special Committees.

VIII. At a meeting of the Full Court, a Special Committee, consisting of two or more members, may be appointed to consider and report upon any matter which may be referred to it.

IX. Such a Committee shall have power, without reference to the Judges generally, to enter upon and conduct any correspondence which the members may consider desirable, in order to enable them to prepare their report.

X. Every order passed and every draft letter approved by a Special Committee shall be signed by a majority of the members.

Contemplated Legislation.

XI. Bills of the Legislative Department of the Government of India and of the Local Government forwarded to the High Court for opinion, proposals for the amendment of the law and generally all matters connected with the development of the law, shall ordinarily be referred, in the first instance, to Special Committees appointed under Rule VIII, consisting of not less than three members.

General.

XII. It shall be the duty of the Registrar to submit all papers relating to any matter to the Committee, if any, appointed to deal with it.

XIII. In all cases in which the English Committee may have acted under Rule III, or a Special Committee under Rule X, the correspondence shall be laid on the table for the information of the Full Court, and a notice shall be circulated weekly to all the Judges of the matters which have, during the past week, been laid before such Committees, showing whether they have been disposed of, and, if so, in what manner.

XIV. It shall be competent to any Judge to require that any matter within the cognizance of any Committee shall be referred to the Full Court.

XV. On the following matters all the Judges shall be consulted:—

- (a) Proposed changes in the law where the proposition emanates from the Government or, in other cases, where a Committee or any Judge of the Court considers that action is called for.
Specially proposed changes in the law.
- (b) The Administration Reports yearly submitted to Government, when passed by the Judges of the English Committee.
Administration Reports.
- (c) Rules which when published will have the force of law.
- (d) Subjects connected with the relations between the Privy Council and the High Court.
- (e) All appointments which by law are made by the High Court and which are not otherwise expressly provided for by the Rules in this Chapter.
- (f) All recommendations for the dismissal from office of Judicial officers.

⁽¹⁾ NOTE.—By a Resolution of the Judges of the English Committee passed on the 15th July 1891, the Registrar has been authorized to dispose of such applications and references where the orders required are formal, and the requirements of the law and the Court's rules have been duly observed.

XVI. Any individual Judge shall be at liberty to record a separate minute upon any matter that comes before the Full Court for discussion; but no such minute shall be submitted to the Government by the Registrar, unless, or until, it has been circulated to the rest of the Judges.

XVII. There shall ordinarily be a meeting of the English Committee on every Saturday, except holidays, at 11 A.M., unless there be no business, or unless another day and time shall be, on any occasion, specially appointed.

XVIII. With the notice of a meeting of the English Committee, or of the Full Court, there shall ordinarily be distributed a printed list setting out the matters for discussion.

XIX. Except for some special reason, the papers relating to any matter for discussion at a meeting of the Full Court, shall be circulated to all the Judges before the day of meeting.

XX. The proceedings of all meetings of the Full Court and of the English Committee shall be recorded in books to be kept for that purpose by the Registrar, and shall be at all times open to inspection, when called for by any of the Judges.

CHAPTER II.—CONSTITUTION OF DIVISION COURTS AND FULL BENCHES.

I. A Division Court for the hearing of appeals from decrees or orders of the Provincial Civil Courts shall consist of two or more Judges, as the Chief Justice may think fit:

Provided that it shall be competent for one Judge to hear appeals from Appellate decrees in suits of which the value does not exceed fifty rupees:

Provided also that on the requisition of any Division Court, or whenever he thinks fit, the Chief Justice may appoint a Special Division Court, to consist of three Judges, for the hearing of any particular appeal or any particular question of law arising in an appeal or of any other matter.

II. A Division Court for the hearing of an appeal under section 15 of the Letters Patent from the judgment of a Judge sitting singly on the Appellate Side, who has decided an appeal under the 1st proviso of Rule I of this Chapter, shall consist of two Judges, other than the Judge from whose judgment the appeal is preferred.

In all other cases a Division Court for the hearing of appeals under section 15 of the Letters Patent from the judgment of a Division Court sitting on the Appellate Side of the High Court, shall consist of three or more Judges, as the Chief Justice may think fit, other than the Judges of the Division Court from whose judgment the appeal is preferred.

A Division Court for the hearing of appeals under section 15 of the Letters Patent from the judgment of a Judge, sitting on the Original Side of the High Court, shall consist of three Judges.

III. References from a Provincial Civil Court shall be heard by the Division Court appointed for the hearing of appeals from the decrees and orders of the Civil Courts of the district in which such Court is situated.

IV. References from the Presidency Small Cause Court shall be heard by the Division Court appointed for the hearing of appeals from the High Court in its Original Jurisdiction.

V. A Division Court for the hearing of cases on appeal, reference, or revision in respect of the sentence or order of any Criminal Court, shall consist of two Judges.

VI. A Division Court for the decision of any question reserved or referred under section 434 of the Code of Criminal Procedure, shall consist of such number of Judges as the High Court shall, in each case, determine.

VII. A Full Bench appointed for any of the purposes mentioned in Chapter V, Rules I to V, shall consist of five Judges.

VIII. The business of the Privy Council Department on the Appellate Side of the Court shall be laid before the Division Court presided over by the Chief Justice, except in the case of appeals in suits instituted on the Original Side of the High Court.

IX. Every petition under section 598 of the Code of Civil Procedure in respect of any decree passed by this Court in its Appellate Jurisdiction in the case of an appeal from the Original Side shall be presented to the Division Court for the hearing of appeals from the Original Side.

CHAPTER III.—DISTRIBUTION OF JUDICIAL BUSINESS.

I. The ordinary Appellate Civil Jurisdiction of the High Court shall be divided into groups of districts.

II. The following shall be the groups:—

Burdwan Group.	Presidency Group.	Rajshahi Group.	Patna.
Burdwan. Birbhum. Bankura. Midnapore. Bhagalpur. Purnea. Cuttack. Chota Nagpur.	24-Parganas. Hooghly. Nadia. Murshidabad. Jessore. Dacca. Faridpur. Backergunge.	Rajshahi. Dinajpur. Jalpaiguri. Darjeeling. Rangpur. Mymensingh. Pabna and Bogra. Tippera. Noakhali. Chittagong. Cachar. Sylhet. Assam Valley Districts.	Patna. Gaya. Shahabad. Saran. Tirhut.

III. The Civil business arising from the districts of each group shall be laid before the Division Court in charge of such group.

Provided that when an order under section 566 or 569 of the Code of Civil Procedure has been passed by a Division Court and at the time of the receipt of the return to such order, the Judges composing such Court are not in charge of the group to which the appeal belongs, such appeals shall be laid before the Senior or, in his absence the Junior, of such Judges, and he shall direct either that the appeal be heard by the Division Court on which he may be sitting, or that it be laid before the Chief Justice for the appointment of a Court to hear such appeal. In the absence both of the Judges the appeal shall be laid before the Division Court in charge of the group to which the appeal belongs.

IV. The Judges of each Division Court shall determine the order in which each description of business shall be heard.

V. Every case in the Criminal Jurisdiction of the High Court shall be placed on the list of the Division Court appointed for that purpose on the date fixed for hearing.

PART II.—PROCEDURE AND PRACTICE.

CHAPTER IV.—APPEALS TO THE PRIVY COUNCIL.

I. Matters connected with appeals to His Majesty in Council shall ordinarily be heard at such time as the Division Court appointed to deal with such matters shall fix.

II. Applications (1) for an order to transmit orders in Council for execution to the Lower Courts, where no special directions are required, (2) to transmit securities to the Mufassal Courts for investigation as to their sufficiency, and (3) for refunds of surplus deposits made for the purpose of preparing translations, manuscripts, &c., may, under ordinary circumstances, be made without notice to the opposite party. A separate list will be made of such applications, and they will be called on at the sitting of the Court, when the Court will determine whether notice must be given.

III. In all other applications notice is necessary.

IV. In all cases in which it is necessary that notice to any party shall issue, such notice shall be given by delivering to the proper person a copy of the petition, together with a notice in the following form:—

Take notice that this application will be made in Court on the day of 19 , at o'clock in the forenoon, when you are required to attend and show cause against the application, if you are desirous to do so.

V. A notice which it is necessary to serve under these Rules or under section 600 of the Code of Civil Procedure, may be served in the manner provided by the Code of Civil Procedure for the service of notices, or upon any vakil who appeared for the party to whom notice is to be given in the appeal to this Court, unless the vakalatnama of such vakil has been cancelled with the sanction of the Court. If there is no vakil upon whom notice can be served, then, unless the Division Court shall otherwise direct, the notice must be served upon the party in Calcutta through the Sheriff, or in the Mufassal through the Court, on paying the usual fee. Such payment to be made by stamp affixed to the notice intended to be served.

VI. If the notice is to be served in Calcutta, it shall be served 24 hours before the sitting of the Court at which the application is to be made; if it is to be served in the Mufassal, then the time is to be regulated by the Time-table prescribed in Rule XV,* Chapter VIII.

VII. All applications of which notice has been given to the Clerk in charge of the Department will be set down in a list in the order in which they are notified to him. The

* See pages 1534 and 1535.

cases in the list will be called on peremptorily in their turn; and if, by the fault of the applicant, the application cannot be proceeded with, it will be liable to be dismissed.

VIII. With the petition to be presented under section 598 of the Code of Civil Procedure, the party desirous to appeal shall file an application, accompanied by a fee of Rs. 16, to the Clerk of Privy Council Appeals to prepare an estimate of the expense of translating, transcribing or printing, and forwarding to the Registrar of the Privy Council the record of the case.

IX. Such estimate shall be prepared with as little delay as possible, and ordinarily only on the Paper-book of the appeal as heard by the Division Court in the particular case.

Provided that it shall be competent to the Division Court to require the applicant to state, within a prescribed period, what papers he may desire to have translated or transcribed for the purposes of his appeal, if admitted, and to pass orders accordingly.

X. The application for estimate shall state whether or not the record is to be printed in India.

XI. The applicant may, at the next sitting of the Court, object to such estimate; but such objection is not to delay the making of the deposit, except by leave of the Court.

XII. All documents, excepting those that may be contained in the Paper-book of the Regular Appeal in this Court, which are to be included in the transcript for the Privy Council, if not originally in English, shall be translated into that language, and all translations made or used shall be revised and certified by the Sworn Examiner.

NOTE.—“ Documents ” include evidence of witnesses.

XIII. An index of all the documents included in the transcript shall be prepared and annexed to the record in the following form, and shall be followed by a list of all other papers, documents and exhibits in the cause not included in the transcript; the draft of this index and list shall be furnished to the parties, who shall be at liberty to object thereto within three weeks from the date of receipt :—

Number on Record.	Mark (if any) in the Court below.	Description and date of Paper.	Whether the whole, portion, and (in case of a portion) what portion to be inserted in the transcript.	Page of Transcript (to be filled in after).

XIV. Any of the parties to the suit may, within three weeks from the receipt of the draft of the index and list referred to in the preceding rule, apply to the Division Court for an order that any paper on the record, not already included in such index and list, may be added to, or, if already included, may be excluded from the transcript under preparation for the Privy Council. Any cost incurred on such account shall be borne in such manner as the Division Court may direct, provided that no such application shall be heard except after notice to the opposite party.

XV. In the index and transcript the papers shall be placed in the following order :—

Plaint.
Written statements.
Examination of parties, or their agents, &c.
Injunctions
Orders of attachment, &c. (if any), obtained before judgment.
Issues framed (if any).
Exhibits of plaintiff.
Depositions of witnesses for plaintiff.
Exhibits of defendant.
Depositions of witnesses for defendant.
Report of Commissioner (if any), with maps, depositions, &c., annexed.
Judgment and decree.
Memorandum of appeal.
Cross-appeal, or memorandum of objections under section 561 (if any).
Proceedings in any Court (if any).
Judgment and decree of that Court.
Petition of appeal to Privy Council, affidavits, &c.
Appendix (if any).
List of papers omitted under II (d) of Her late Majesty's Order* in Council of 13th June 1853, and under clause (b) of section 602 of the Code of Civil Procedure.

* See Appendix to this chapter, pages 1528 and 1529.

The following charges shall be payable in respect of the matters specified:—

	Rs.	A.	P.
Estimate of costs	16	0	0
Translation of vernacular portion of record, per 1,000 words ...	6	10	8
Examination of ditto ditto ...	3	5	4
Copying English portion of record, for every 1,440 words, or part thereof	1	0	0
Examining English portion of record for every 1,440 words, or part thereof	0	8	0
Transcribing (one copy), per folio of 72 words	0	2	0
(Or at the option of Appellant.)			
Printing (55 copies), per printed page from Re. 1-8 to ...	3	0	0
Examination of transcript record, for every 72 words, or part thereof	0	1	0
Examination of proofs, for every 750 words	1	0	0
Certifying two copies of printed record, for every 10 printed or manuscript pages, or part of 10 pages	1	0	0
Preparation of index, for every 16 papers, or part of 16 papers	1	0	0

The above rates will be subject to alteration.

XVI. The estimate shall include the matters referred to in the preceding rule and be framed in accordance with the charges above specified, and any appellant who has filed his petition of appeal shall be deemed to have incurred the charge for the preparation of an index and estimate, whether the appeal be admitted or not.

XVII. In all cases the security offered under sections 602, 605 and 609 of the Code of Civil Procedure shall consist either of cash, or Government securities, or immoveable property, and in the latter case the party finding the security shall file a mortgage bond duly registered, together with a specification of the title to the property.

XVIII. When such bond has been filed, the Court shall, if the property be situate in Calcutta, direct the security to be tested by the Registrar on the Original Side; if in the Mufassal, by the Judge of the district in which the immoveable property offered as security is situate.

XIX. Upon the arrival of any report as to the sufficiency of any security, the Clerk in charge of the Department will enter the case in the list of business of the Division Court, specifying the nature of the case. All parties desirous of objecting thereto shall, within six days of the case being inserted in such list, file a notice specifying their objections and serve a copy of such notice upon the other parties to the appeal. All such objections will be disposed of at the next sitting but one after the arrival of the report.

XX. If the security tendered be found insufficient, the appellant shall, within six weeks of the date of such finding, deposit cash or Government securities to the extent of Rs. 4,000, or to such amount as will bring up the value of the security to Rs. 4,000.

XXI. In case the last day for making the deposit or giving the security under sections 602, 605 and 609 of the Code of Civil Procedure shall fall on a day upon which the Court is closed, the deposit may be made, or the security given, upon the first day upon which the Court re-opens.

XXII. All applications by, or on behalf of, an infant or a person of unsound mind shall be made in the name of the infant or person of unsound mind by the person whose name is on the record as his next friend or his guardian; and, whenever any application is consented to, or opposed by, an infant or person of unsound mind, the infant or person of unsound mind shall, in like manner, be represented by the person who appears on the record as his next friend or guardian.

XXIII. In case there is no next friend or guardian upon the record, a separate application for appointment of a next friend or guardian must be made.

XXIV. When a party who has been successful in an appeal to His Majesty in Council applies for a certificate of the costs incurred in the appeal in this Court, the Deputy Registrar shall upon production of the order of His Majesty in Council for the payment of such costs and without reference to the Court, prepare such certificate and place it on the record of the Privy Council Appeal.

A copy of the certificate will then be taken by the party in the usual way.

APPENDIX.

The two following orders, dated respectively the 13th June 1853 and the 24th March 1871 (reprinted, with corrections and alterations, on the 1st May 1899), issued by Her late Majesty in Council for observance in all appeals to the Privy Council, are inserted for information:—

Order of 13th June 1853.

I.—That, any former usage or practice of Her Majesty's Privy Council notwithstanding, an Appellant who shall succeed in obtaining a reversal or material alteration of any judgment, decree, or order appealed from, shall be entitled to recover the costs of the appeal from the Respondent, except in cases in which the Lords of the Judicial Committee may think fit otherwise to direct.

Appellant, when successful, may recover costs of appeal.

II.—That the Registrar or other proper officer having the custody of records in any Court or special jurisdiction from which an appeal is brought to Her Majesty's Council be directed to send by post, with all possible despatch,—

Transcripts to be sent to Registrar of Privy Council.

- (a) one certified copy of the transcript record in each cause to the Registrar of Her Majesty's Privy Council, Whitehall;
- (b) and that all such transcripts be registered in the Privy Council Office, with the date of their arrival, the names of the parties, and the date of the sentence appealed from;
- (c) and that such transcript be accompanied by a correct and complete index of all the papers, documents, and exhibits in the cause;
- (d) and that the Registrar of the Court appealed from, or other proper officer of such Court, be directed to omit from such transcript all merely formal documents, provided such omission be stated and certified in the said index of papers;
- (e) and that special care be taken not to allow any document to be set forth more than once in such transcript;
- (f) and that no other certified copies of the record be transmitted to agents in England by, or on behalf of, the parties in the suit;
- (g) and that the fees and expenses incurred and paid for the preparation of such transcript be stated and certified upon it by the Registrar or other officer preparing the same.

III.—That when the record of proceedings or evidence in the cause appealed has been printed or partly printed abroad, the Registrar or other proper officer of the Court from which the appeal is brought—

Transcripts may be printed abroad.

- (a) shall be bound to send home the same in a printed form, either wholly or so far as the same may have been printed,
- (b) and that he do certify the same to be correct, on two copies, by signing his name on every printed sheet,*
- (c) and by affixing the seal, if any, of the Court appealed from to these copies, with the sanction of the Court,
- (d) and that in all cases in which the parties in appeals shall think fit to have the proceedings printed abroad, they shall be at liberty to do so, provided they cause fifty copies of the same to be printed in folio,†
- (e) and transmitted, at their expense, to the Registrar of the Privy Council,
- (f) two of which printed copies shall be certified as above by the officer of the Court appealed from,
- (g) and in this case no further expense for copying or printing the record will be incurred or allowed in England.

* [That is, on every eighth page.]

† [Now demy quarto.]

IV.—That on the arrival of a written transcript of appeal at the Privy Council Office, Whitehall, the Appellant, or the Agent of the Appellant prosecuting the same, shall be at liberty—

Written transcripts to be printed by Her Majesty's printer.

- (a) to call on the Registrar of the Privy Council to cause it, or such part thereof as may be necessary for the hearing of the case,
- (b) and likewise all such parts thereof as the Respondent or his agent may require, to be printed by Her Majesty's printer,
- (c) or by any other printer on the same terms,
- (d) the appellant or his agent engaging to pay the cost of preparing a copy for the printer at a rate not exceeding one shilling per brief sheet [now three half-pence per folio typed],
- (e) and likewise the cost of printing such record or appendix,
- (f) and that one hundred copies [now seventy-five] of the same be struck off,
- (g) whereof thirty [now twenty] copies are to be delivered to the agents on each side and forty [now thirty-five] kept for the use of the Judicial Committee,
- (h) and that no other fees for solicitors' copies of the transcript, or for drawing the joint appendix, be henceforth allowed,
- (i) the solicitors on both sides being allowed to have access to the original papers at the Council Office,
- (j) and to extract, or cause to be extracted and copied, such parts thereof as are necessary for the preparation of the petition of appeal, at the stationer's charge not exceeding one shilling per brief sheet [now three half-pence per folio typed].

V.—That a certain time be fixed within which it shall be the duty of the Appellant or his agent to make such application for the printing of the transcript,

Transcripts to be printed within a certain time.

- (a) and that such time be within the space of six calendar months from the arrival of the transcript and the registration thereof in all matters brought by appeal from Her Majesty's colonies and plantations east of the Cape of Good Hope, or from the territories of the East India Company,
- (b) and within the space of three months in all matters brought by appeal from any other part of Her Majesty's dominions abroad;

Appeals may be heard
in the form of a Special
Case.

- (c) and that in default of the appellant or his agent taking effectual steps for the prosecution of the appeal within such time or times respectively, the appeal shall stand dismissed without further order,
(d) and that a report of the same be made to the Judicial Committee by the Registrar of the Privy Council at their Lordships' next sitting.

VI.—That whenever it shall be found that the decision of a matter on appeal is likely to turn exclusively on a question of law, the agents of the parties, with the sanction of the Registrar of the Privy Council, may submit such question of law to the Lords of the Judicial Committee in the form of a Special Case, and print such parts only of the transcript as may be necessary for the discussion of the same; provided that nothing herein contained shall in any way bar or prevent the Lords of the Judicial Committee from ordering the full discussion of the whole case, if they shall so think fit; and that in order to promote such arrangement, and simplification of the matter in dispute, the Registrar of the Privy Council may call the agents of the parties before him, and having heard them and examined the transcript, may report to the Committee as to the nature of the proceedings.

Order of 24th March 1871.

- I.—All cases, records, and other proceedings in appeals, or other matters pending before the Judicial Committee of the Privy Council, are henceforth to be printed in the form known as demy quarto, and not in demy folio, as hath heretofore been used.
II.—The size of the paper used is to be such that the sheet, when folded, will be eleven inches in height and eight inches and-a-half in width.
III.—The type to be used in the text is to be pica type; but long primer is to be used in printing accounts, tabular matter, and notes.
IV.—The number of lines in each page of pica type is to be forty-seven, each line being five inches and three quarters, or 146 millimetres in length.
V.—The foregoing rules do not apply to cases now pending in which the printing of the record is begun before the receipt of this Order, but in all cases printed after the receipt of this Order the form and type herein prescribed are to be used exclusively.
VI.—The price in England for printing 75 copies in the form herein established is to be thirty-eight shillings per sheet (eight pages) of pica with marginal notes, not including corrections, tabular matter, and other extras.

CHAPTER V.—REFERENCES TO A FULL BENCH.

- I. Whenever one Division Court or a Judge sitting singly shall differ from any other Division Court or any other Judge sitting singly as aforesaid upon a point of law or usage having the force of law, the case shall be referred for decision by a Full Bench.
II. If the question arise in an appeal from an Appellate decree, the Court referring the case shall state the point or points upon which they differ from the decision of a former Division Court and shall refer the appeal for the final decision of a Full Bench.
III. If the question arise in an appeal from an Original Decree, the questions of law shall alone be referred, and the Full Bench shall return the case with an expression of its opinion upon the points of law for final adjudication by the Division Court which referred it, and in case of necessity in consequence of the absence of any or either of the referring Judges, for the ultimate decision of another Division Court.
IV. If the question arise in any matter coming before a Division Court in the exercise of its Civil Revisional Jurisdiction, the point or points shall be stated as provided in Rule II, and the matter shall be referred for the final decision of a Full Bench.
V. If the question arise in any case coming before a Division Court as a Court of Criminal Appeal, Reference or Revision, the Court referring the case shall state the point or points on which they differ from the decision of a former Division Court, and shall refer the case to a Full Bench for such orders as to such Bench may seem fit.
VI. Every decision of a Full Bench shall be treated as binding on all Division Courts and Judges sitting singly upon the point of law or usage having the force of law determined by the Full Bench, unless it be subsequently reversed by a Bench, specially constituted, consisting of such number of Judges as in each case shall have been fixed by the High Court, or unless a contrary rule be laid down by the Judicial Committee of the Privy Council.

NOTE.—The judgment of the Court in a Civil and Criminal cases heard by a Full Bench is to be printed and distributed for information to all the Judges of the Court.

CHAPTER VI.—APPEALS UNDER SECTION 15 OF THE LETTERS PATENT.

- I. Every appeal to the High Court under section 15 of the Letters Patent from a judgment of a Division Court on the Appellate Side of the High Court shall be presented to the Deputy Registrar within thirty days from the date of the judgment appealed from, unless the Court in its discretion, on good cause shown, shall grant further time.

II. Such appeals shall be written on paper of the same description as that prescribed for plaints.

III. The petition of appeal shall be in the English language, shall be drawn up in accordance with the provisions of section 541 of the Code of Civil Procedure, and shall be subscribed by an Advocate or Vakil of the Court.

IV. Separate Registers shall be opened by the Deputy Registrar for the entry of such appeals in the following form:—

No. of the appeal to the High Court, and the date on which it is filed.	No. of the original appeal to the High Court, date of the judgments of the Division Court appealed from, and names of the presiding Judges.	Appellants.	Respondents.	Pleaders for Appellants.	Pleaders for Respondents.	Particulars of suit.	Date of issue of notice for service on the Respondent.	Date on which the appeal is heard, and date of judgment of the Court.	Nature of the order passed.

V. Immediately after such an appeal is filed and registered, the Deputy Registrar shall prepare a notice of the appeal in the annexed form for service on the respondent, and shall cause the notice to be served on the Vakil or any of the Vakils who may have appeared for the respondent in the appeal in which the judgment was given. In any case in which the respondent may not have entered appearance in the appeal in which the judgment was given, the notice shall be served in the mode provided by law for the service of a notice in ordinary appeals.

IN THE HIGH COURT OF JUDICATURE AT FORT WILLIAM IN BENGAL.

APPEAL No. OF 190 .

Appeal

No. OF 190 .

versus

Appellant,

Respondent

To

Pleader for the

Take notice that an appeal has this day, under section 15 of the Letters Patent, been filed on behalf of the above by Vakil and Mr Justice from the judgment of the Division Court (Mr. Justice and Mr Justice) to the High Court, and that it has been set down for hearing before the said Court on

Dated the day of 190 .

Signed and sealed by order of the High Court.

Deputy Registrar.

VI. In every appeal under section 15 of the Letters Patent against the judgment of a Division Court on the Appellate Side of the High Court, in which the value of the appeal exceeds Rs. 50, copies of the memorandum of appeal and of the judgments of the Judges shall be printed, and fifteen copies shall be prepared for use at the hearing.

In every appeal under section 15 of the Letters Patent against the judgment of a Division Court or of a Judge sitting singly on the Appellate Side of the High Court, in which the value of the appeal does not exceed Rs. 50, copies of the memorandum of appeal and of the judgments or judgment shall be prepared in manuscript, and two copies shall be prepared for use at the hearing.

No charge shall be levied from the parties on account of the preparation of these copies.

The Paper-books prepared for use at the hearing of the appeal shall be used at the hearing of the appeal under section 15 of the Letters Patent.

CHAPTER VII.—APPEALS FROM THE HIGH COURT, ORIGINAL JURISDICTION.

I. When an appeal is preferred to the High Court from its original jurisdiction, the Appellant's Attorney shall prepare a Paper-book.

II. When the appeal is from an original decree, the Paper-book shall contain the following papers, arranged in the same order as is prescribed by Rule XV in the chapter entitled "Appeals to the Privy Council" (Part II, Chapter IV):—

- (a) Table of Contents, with reference to pages.
- (b) The Plaint.
- (c) Written Statements.
- (d) Memorandum of the issues.

- (e) Documentary evidence put in on behalf of the Plaintiff, including such answers to interrogatories delivered for the purposes of discovery as have been used at the hearing and marked as exhibits, together with the interrogatories so answered.
- (f) Depositions of witnesses examined on behalf of the plaintiff, including depositions taken *de bene esse*, if put in and used at the hearing.
- (g) Documentary evidence put in on behalf of the Defendant, including such answers to interrogatories delivered for the purposes of discovery as have been used at the hearing and marked as exhibits, together with the interrogatories so answered.
- (h) Depositions of witnesses examined on behalf of the defendant, including depositions taken *de bene esse*, if put in and used at the hearing.
- (i) The Judgment.
- (j) The Decree.
- (k) The Memorandum of Appeal.
- (l) Objections, if any, under section 561 of the Code of Civil Procedure.
- (m) Any document rejected by the Original Court where its rejection is a ground of appeal or cross-objection.
- (n) Such other documents as the Registrar may direct on notice to the parties.

III. In the case of other appeals, only such papers shall be printed as were used by the parties at the hearing, or as the Registrar may direct on notice to the parties.

The appellant shall, within a fortnight from the date of filing his grounds of appeal, furnish to the Registrar a list of the papers and documents which he requires to be printed, and the respondent filing cross-objections shall do the same within a week from date. The Registrar shall, upon receiving such list, give notice to the parties and give directions as to the papers and documents which should be included in the Paper-book.

IV. Only the English translation of any document, not in the English language, shall be entered in the Paper-book or printed.

V. The Paper-book shall be printed in accordance with the following directions* :—

- (a) All Paper-books are henceforth to be printed in the form known as demy quarto.
- (b) The size of the paper used is to be such that the sheet, when folded, will be eleven inches in height and eight inches and-a-half in width.
- (c) The type to be used in the text is pica type; but long primer is to be used in printing accounts, tabular matter, and notes.
- (d) The number of lines in each page of pica type is to be forty-seven, each line being five inches and three quarters, or 146 millimetres.
- (e) Every tenth line on each page shall be numbered—that is, the tenth line will be numbered 10, and the second tenth line 20, and so on.

VI. There shall be ordinarily printed thirty copies of the Paper-book, but the Registrar may, when necessary, direct a larger number to be printed.

VII. The Appellant's Attorney shall be responsible for the preparation of the Paper-book, and shall, within two months from the filing of the memorandum of appeal, where the appeal is from an original decree, and within one month in other cases, deliver six copies of the Paper-book to the Registrar, and shall also, without delay, deliver to the respondent, or to each respondent where there is more than one appearing separately, as many copies as he may require, not exceeding six, on payment by him of the price of such copies, the price being arrived at by dividing the cost of printing by the number of copies printed.

VIII. In the event of non-compliance with the last preceding rule, the respondent or his attorney may, with the leave of the Court or a Judge, prepare and deliver such Paper-book, or he may apply, on notice to the appellant, to have the appeal dismissed for want of prosecution, or for such other order as he may be advised. If no application be made, the case will be set down in the next Peremptory List of appeals from the Original Side, and be disposed of by the Court as it may think fit.

IX. The cost of preparing the Paper-book shall be at the following rates :—

- (a) The Court charges for office copies.
- (b) Copying papers for the press, including examination, at 8 annas per folio of 96 words.
- (c) Arranging papers for the press, 4 annas for each paper.
- (d) Examining and comparing papers, at 750 words per rupee.
- (e) Printing, actual cost, at a reasonable rate to be allowed by the Taxing Officer.
- (f) Lithographing maps (where necessary), actual cost.

X. The costs incurred in the preparation of the Paper-book shall be costs in the appeal, unless as to the whole or any portion thereof the Court shall otherwise order.

XI. The Division Court appointed for the hearing of appeals from the High Court in the Original Jurisdiction, or, if such Court be not sitting, the Judge sitting on the Original Side of the High Court, may, upon application and upon sufficient cause being shewn, enlarge

* For (a), (b), (c), (d), see order of Her late Majesty in Council, dated 24th March 1871, pages 1529 and 1530 *ante*.

the time prescribed by these rules for doing any act to be done under their provisions. An application for enlargement of time must ordinarily be made before the expiration of the prescribed time, and must be supported by an affidavit of facts, and also by a certificate of the Registrar showing the dates on which the acts prescribed by these rules were done.

The Division Court, or the Judge as aforesaid, may also, upon application and upon sufficient grounds verified by affidavit, exempt the parties or any of them from the operation of the whole or any part of these rules, or may make such special order as it deems fit as to any matter with which these rules are concerned.

XII. The following fees shall be allowed to Attorneys in respect of appeals from the High Court in its Original Jurisdiction in addition to any fees which may be properly allowable to them under the general table of fees:—

To the Appellant's Attorney.

	Rs.
Instructions to advise on judgment, perusing judgment and advising thereon	25
Perusing papers and preparing observations for Counsel, in the discretion of the Taxing Officer, from Rs. 75 to	150
Briefing necessary papers not included in the Paper-book at the ordinary rate.	
Attendance in Court during the hearing of an appeal and when judgment is delivered, for each day not exceeding	50

To the Respondent's Attorney.

Instructions to defend	10
Attendance at the office of the appellant's Attorney to examine the printed copy of the transcript with the official copy, for every hour or part of an hour	5
Perusing papers and preparing observations for Counsel at discretion of the Taxing Officer, from Rs. 75 to	150
Attendance in Court, the same as to the appellant's Attorney.	

XIII. In these rules the word "Registrar" includes an Assistant Registrar, and words in the singular include the plural and *vice versa*.

XIV. These rules shall apply to appeals filed on and after the first day of August 1890.

CHAPTER VIII.—APPEALS FROM ORIGINAL DECREES.

I. Every petition of appeal shall be presented in the High Court to the Deputy Registrar, by the appellant in person, or by his recognized agent, or by a pleader appointed under the provisions of section 39 of the Code of Civil Procedure, or by some person appointed in writing in each case by such pleader to present the same.

II. The memorandum of appeal shall be drawn up in the manner prescribed by section 541 of the Code of Civil Procedure, and it shall be the duty of the Deputy Registrar to endorse thereon the date of presentation and to satisfy himself that the appeal is in proper form, that the fees* chargeable thereon have been paid and that the appeal has been preferred within the period of limitation.

Where all these particulars have been correctly observed, the Deputy Registrar shall admit the appeal and register it in the Register of Appeals from Original Decrees.

III. In any case in which an appeal has been returned for amendment under section 543 of the Code of Civil Procedure, it shall be the duty of the Deputy Registrar to attest the amendment by his signature.

IV. If the memorandum of appeal be not in the correct form, the Deputy Registrar shall return the petition of appeal with an endorsement thereon of his objection, recording the fact in a book to be kept for the purpose.

V. In a matter dealt with under Rule IV the appellant or his Vakil may present the appeal to the Division Court hearing appeals from the Group to which the appeal belongs.

VI. After an appeal has been registered it shall be the duty of the Deputy Registrar to send a notice of the appeal without delay to the Lower Court from whose decision the appeal is preferred, and to call for the transmission, ordinarily within seven days, of the record and all material papers.

Whenever it shall be impossible for the Lower Court to comply with the requisition within the time stated, such Court shall report the reason of its inability and shall ask for such further time as may be necessary.

VII. The fee for the issue of the notice to the Respondent under section 553 of the Code of Civil Procedure shall be paid into Court by the appellant in the manner prescribed

* Note.—The Hon'ble the Chief Justice has been pleased to declare that the Registrar of the High Court in its Appellate Jurisdiction shall be the Taxing Officer within the meaning of section 5 of the Court Fees Act, VII of 18 0, for the Appellate Side of the Court.

in the Rules issued by the High Court under clause 1 of section 20 of the Court Fees Act, VII of 1870, and on receipt thereof, it shall be the duty of the Deputy Registrar to transmit the notice to the Lower Court for service, together with the notice required by the preceding rule.

VIII. The proceeding of the High Court calling for the record and transmitting the notices of appeal shall direct that the notices be served, and it shall be the duty of the Lower Court thereupon to cause service of the notices without the payment of any further fee and without any further action by the appellant: Provided that the appellant or some one employed by him may accompany the serving officer for the purpose of pointing out the residence of the respondent.

IX. The time allowed for service of the notice shall be specified therein by the Deputy Registrar in accordance with the table, in Rule XV, and shall commence from the date on which it is despatched, which shall in general be within three days at the latest from the date on which the appeal is filed.

X. The Lower Courts shall issue all notices received for service immediately on receipt thereof, and in their returns of service shall, in every instance, insert the date of receipt by them of the notice, the date on which it was made over to the serving officer, and the date on which it was received back from him.

XI. Every return of service or of failure to serve the notice shall be accompanied by the affidavit or solemn declaration of the serving officer, specifying the fact and mode of service or the reason why service could not be effected in any of the modes allowed by law. It shall be the duty of the Lower Court to cause the notice to be served in sufficient time before the date fixed, and if such service be impracticable to state the reasons for which service cannot be effected, and thereupon a fresh date shall be fixed by the High Court. In every case the Court making the return shall satisfy itself that a valid service has been made, or that there has been a failure of service, and shall certify such opinion to the High Court, with the reasons in case of failure of service.

XII. The date to be fixed for the hearing of the appeal shall be the 28th day after the date on which the time for the service of the notices expires, provided that such a day be not a Sunday or holiday, in which case the first business day afterwards shall be the day of hearing.

XIII. If there be several respondents to be served and they do not all reside in the same district, the time for service of the notices and for hearing shall be fixed with reference to that district for which the longest time is allowed in the Table in Rule XV.

XIV. In every instance, in which it shall appear that the Respondent, or any one of the Respondents, to be served, resides in any district other than that from which the appeal comes, the Deputy Registrar, in fixing the time for service and for the hearing of the appeal, shall add a sufficient time for sending the notice from the district from which the appeal comes to the district in which any notice is to be served, and the proceeding, issued under Rule VIII of this Chapter, shall direct the Court to which the notice is sent to forward it to the proper Court in the district in which such notice is to be served. The Court which serves any notice sent through the Lower Court shall make its return of service or of the failure of service (as the case may be) direct to the High Court and shall be guided by Rules X and XI.

XV. The following Time Table shall be observed:—

Time Table.

DISTRICT.	Number of days allowed for service of notice of Appeal on the Respondent.	DISTRICT.	Number of days allowed for service of notice of Appeal on the Respondent.
Burdwan ...	23	Tippera ...	37
Birbhum ...	23	Noakhali ...	39
Bankura ...	25	Chittagong ...	35
Midnapore ...	27	Patna ...	31
Hooghly and Howrah ...	25	Gaya ...	33
24 Parganas ...	25	Shahabad ...	31
Nadia ...	29	Saran-Champaran ...	31
Murshidabad ...	23	Tirhut { Muzaffarpur ... }	33
Jessore-Khulna ...	29	{ Darbhanga ... }	33
Rajshahi ...	31	Bhagalpur-Monghyr ...	31
Dinajpur ...	31	Purnea ...	33
Rangpur ...	33	Cuttack ...	35
Pabna-Bogra ...	31	Chota Nagpur ...	40
Dacca ...	29	Sylhet ...	35
Mymensingh ...	35	Cachar ...	50
Faridpur ...	32	Assam Valley Districts ...	50
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XVI. On receipt of record from the Lower Court it shall be the duty of the Deputy Registrar to see that the Paper-book for the use of the High Court at the hearing of the appeal is prepared in accordance with the following Rules :—

Rules for the preparation of Paper-books.

XVII. The preparation of Paper-books in Appeals to the High Court from Original Decrees shall be regulated by the following Rules :—

Provided that the Division Court having jurisdiction over any particular Group may, for sufficient cause shown, pass any special order regarding the preparation of the Paper-book of any particular appeal belonging to that Group.

1. Every party, who files an appeal in person, shall insert in his petition of appeal, or otherwise give in writing to the Deputy Registrar, an address within the Town of Calcutta or the Municipality of the Suburbs of Calcutta or that of Howrah, at which notices and other process in the appeal may be served upon him ; and any notice or other process left for him at such address or sent thereto by registered letter shall be presumed to have been duly served upon such party.

2. Upon receipt of the Record the Deputy Registrar shall serve a notice upon the Appellant, requiring him to prepare and deliver to such Deputy Registrar a List of the papers to be inserted in the Paper-book at the expense of such Appellant. Such List shall be in the following form :—

Number on the record.	Mark (if any) in the Court below.	Description and date of Paper.	Whether the whole, or portion, and (in case of a portion) what portion to be inserted in the Paper-book.	Page of Paper-book (to be filled in after).

3. There shall be entered in such List all papers on which the decision of the appeal depends.

(1) The following papers shall be translated and printed in every case, and it shall be unnecessary to enter any of them in the List, viz.—

- (a) The Plaint exclusive of Schedules ;
- (b) Written Statements of parties ;
- (c) Issues ;
- (d) The Judgment and the Decree or Order against which the appeal is preferred ;
- (e) The Grounds of Appeal.

(2) It shall ordinarily be unnecessary to enter in the List any of the following papers, viz :—

- (a) Schedules ;
- (b) Maps and plans in all cases other than Char, Partition and Boundary cases ;
- (c) Accounts, jama-wasil-baki and similar papers, except particular entries relevant for the decision of the appeal ;
- (d) Leases, Pattas, Kabuliats ;
- (e) Receipts, Chalangans.

But any such paper shall be entered, if a reference thereto is necessary in order to the decision of the appeal.

4. The Appellant shall, within thirty* days after service of the notice required by Rule 2, deliver to the Deputy Registrar a List, prepared in accordance with Rules 2 and 3, of the papers to be inserted in the Paper-book at his expense. Such List shall be termed "The Appellant's List."

5. As soon as such List is delivered to the Deputy Registrar, he shall, if the Respondent has appeared, give notice of such delivery to such Respondent.

* See Rule 31.

6. Every Respondent who has entered an appearance shall be entitled to inspect the Appellant's List and at his own expense to obtain a copy of the whole or of any portion thereof.

Respondent may inspect and take copy of List.

7. Every such Respondent shall, within thirty* days after service upon him of the notice required by Rule 5, deliver to the Deputy Registrar a List in duplicate, in the form in Rule 2, of the papers, other than those inserted in the Appellant's List to which such Respondent desires that reference shall be made by the Court at the hearing of the appeal, and which shall be inserted in the Paper-book at such Respondent's expense. Such List shall be termed "The Respondent's List." When the Respondent intends to take any objection to the decree which he could have taken by way of appeal, and the taking of which is subject to the proviso contained in section 561 of the Code of Civil Procedure, any papers relevant to maintain this objection shall be included in such Respondent's List.

Respondent's List of papers.

8. If the Respondent considers that any paper or portion of a paper, which ought to have been inserted in the Appellant's List of papers under the provisions of Rule 3 has been omitted therefrom in violation of these provisions, he may, within fourteen days after service upon him of the notice required by Rule 5, and after giving notice to the Appellant of his intended application, apply to the Court for an order that such paper or portion of a paper be inserted in the List of such Appellant. When the Respondent, though he has not appealed against any part of the decree, intends to support such decree on any of the grounds decided against him in the Court below (section 561 of the Code of Civil Procedure), he is entitled to have included in the Appellant's list any papers relevant to such ground.

Application by Respondent for amendment of Appellant's List.

9. If the Respondent do not enter an appearance or do not deliver the List in duplicate directed by, and within the time prescribed by, Rule 7, and if no order be made under Rule 8, the Paper-book shall be prepared in accordance with the Appellant's List.

On Respondent's default Paper-book to be prepared according to Appellant's List.

10. When two or more Appellants or Respondents have the same interest in the appeal, one List only shall be required from all such Appellants or Respondents. Appellants or Respondents having separate interests shall deliver separate Lists. In such cases the principle of Rule 16 shall apply.

One List only to be delivered by two or more Appellants or Respondents having same interest.

11. If any of the papers, which must be inserted in the Appellant's List or in the Respondent's List was previously printed in a former Paper-book, the fact of its having been so printed may be stated in the List in which such paper is inserted. But such papers shall nevertheless be printed, unless the Court otherwise direct.

Paper printed in former Paper-book to be printed unless ordered to the contrary.

12. No paper in the record of the case which is not inserted in the Appellant's or Respondent's List and printed in the Paper-book, shall be referred to at the hearing of the appeal without the special leave of the Court. But this rule shall not preclude the Court from referring to any paper to which it considers a reference necessary for the ends of justice.

Papers not inserted in the Paper-book may not ordinarily be referred to at the hearing of the appeal.

13. The Deputy Registrar shall, within twenty-one* days after the delivery by the Appellant and the Respondent of their Lists respectively, make and deliver to such Appellant and to such Respondent separate Estimates of the cost of preparing their portions of the Paper-book. Such Estimates shall state separately the cost of transcribing, translating, examining, printing, &c., at the following rates, viz:—

Deputy Registrar to make and deliver to Appellant and Respondent an Estimate of cost of preparing their respective portions of the Paper-book.

- (1) "estimating" at 10,000 Vernacular words per rupee :
- (2) "translating" at 200 Vernacular words per rupee, three figures being counted as one word :
- (3) "examining translations" at 400 Vernacular words per rupee :
- (4) "transcribing" at 1,440 words per rupee :
- (5) "examining manuscripts" at 2,880 words per rupee :
- (6) "editing" the Paper-book at eight annas per page. N.B. "editing" includes (a) arranging the papers for press; (b) preparing the *Table of Contents* and the chronological index required by the Rules; (c) examining and comparing "proofs with copy," such "copy" being the originals or authenticated copies of English papers, or translations where the Rules provide for translations : and the Editor is responsible that all the papers in the lists are accurately and completely produced in the Paper-book :

NOTE.—In preparing the chronological index of the exhibits or documentary evidence care should be taken to give a correct and full description of each document. The description, as furnished in the lists prepared by the Lower Courts or filed by the Vakils in the appeal in this Court, should not be relied upon, but the document themselves should be consulted in order that a full and accurate description may be given in the chronological index.

- (7) "lithographing drawing or tracing maps" (where necessary) actual cost :
- (8) "printing" at fourteen annas per page.

* See Rule 31.

14. The Paper-book may, at the election of the Appellant, be prepared in the office of the High Court, or in that of the Appellant's Vakil or by any retired officer of the Court whom the Judges may deem fit to undertake such work and may nominate for the purpose. Notice of such election shall be given to the Deputy Registrar by the Appellant within twenty-one* days after delivery to him of the estimate prepared in accordance with Rule 13. The Deputy Registrar shall thereupon make over one of the Respondent's duplicate Lists to the Appellant's Vakil, giving the Respondent notice thereof.

A Vakil or retired officer of the Court undertaking the preparation of a Paper book shall, when filing the notice of election required by this rule, also file therewith a declaration to the effect that he is perfectly well acquainted with the vernacular and able to translate the vernacular portion of the record of the case in which such notice of election is filed; and that he will himself do the translation work in connection with the preparation of such Paper-book.

Any notice of election filed without such declaration as aforesaid shall be returned to the Vakil or retired officer filing it.

15. In appeals from districts other than the districts of Rangpur, Mymensingh, Backergunge, Tippera, Noakhali, Chittagong, Outtaek, Chota Nagpur, Assam and Cachar, the Appellants, save as hereinafter provided, and the Respondents shall, within thirty* days after the delivery to them respectively, of the estimates prepared in accordance with Rule 13, deposit with the Accountant of the Court the amount of their respective estimates, other than the cost of printing; and the cost of printing shall be deposited immediately on the expiry of one-half of the time prescribed by Rule 18 for the preparation of Paper-books, such time to be computed from the date of the deposit by the Appellants and Respondents of the amount of the other items of their estimates.

In appeals from the Districts of Rangpur, Mymensingh, Backergunge, Tippera, Noakhali, Chittagong, Outtaek, Chota Nagpur, Assam and Cachar, the amount of the estimates, other than the cost of printing, shall be deposited by the Appellants, save as hereinafter provided, and by the respondents within forty-five days after the delivery to them of their estimates, and the cost of printing shall be deposited immediately on the expiration of one half of the time prescribed by Rule 18 for the preparation of Paper-books, such time to be computed from the date of the deposit by the Appellants and Respondents of the amount of the other items of their estimates. If it subsequently appear that the amount

Procedure where amount of Deposit found to be insufficient.

so deposited by either party to the appeal is insufficient, to defray the cost of preparing his portion of the Paper-book, the Deputy Registrar shall estimate the additional amount required and shall give notice thereof to such party. Such additional amount shall be deposited by such party with the Accountant of the Court within twenty-one days after service upon him of such notice. When the Appellant elects under Rule 14 to have the

Appellant may pay out of Court, when he elects to have Paper-book prepared in his Vakil's office or by a retired officer of the Court.

Paper-book prepared in the office of his Vakil or by a retired officer of the Court specially authorised, it shall not be necessary for him to deposit the amount of his estimate, other than the charge for estimating and the cost of the examination of translations, with the Accountant of the Court, and he may make his own arrangement with such Vakil, or such officer, for payment of the cost of preparing the Paper-book.

16. When separate appeals have been preferred by different persons against the same decree, complete Lists shall be delivered by the parties to each such appeal: but the Deputy Registrar may, subject to the order of the Court, apportion between the parties concerned the cost of preparation in respect of any matter common to all or any of such parties. Printed copies of such common matter may be included in the Paper-book of each appeal; or such matter may appear in one Paper-book only, the other Paper-books containing references to the pages of such Paper-book in which such matter appears. This rule shall apply also when two or more separate appeals are preferred in analogous cases.

17. If the Appellant fail to deliver his List of papers in accordance with Rule 4, or if the Appellant or Respondent fail to make the deposit or additional deposit required by Rule 15, the Deputy Registrar shall cause the appeal to be set down for hearing by the Division Court having jurisdiction in respect thereof; and such Court may, unless satisfied that there was reasonable ground for the default—in the case of default by the Appellant direct the appeal to be dismissed for want of prosecution—and in the case of default by the Respondent, direct that the Paper-book be prepared in accordance with the Appellant's List, excluding the papers of the Respondent's List; or may pass such other order as may seem proper under the circumstances of the case.

* See Rule 31.

18. When the Appellant does not, within the twenty-one* days allowed by Rule 14, elect to have the Paper-book prepared in the office of his Vakil or by a retired officer of the Court specially authorized, the Deputy Registrar shall proceed to have it prepared in the Office of the High Court, so that it may be ready within the following time from the date of the first deposit required to be made by the Appellant under Rule 15, *i.e.*, (a) when the Paper-book is estimated by the Deputy Registrar to consist of not more than 100 pages, within two months; (b) when the Paper-book is estimated by the Deputy Registrar to consist of more than 100 but not more than 200 pages, within three months; (c) in any other case, within four months. The Paper-book shall include the whole of the papers included in the Appellant's and Respondent's Lists. All papers which are not in English shall be translated into that language. Such translations and the original English papers shall be printed and arranged in the order prescribed by Rule XV of Chapter IV entitled "Appeals to the Privy Council."—The papers shall be preceded by a table of contents with reference to pages, including a chronological index of the Exhibits put in by both parties.

NOTE (1).—The period occupied by the examiners of translations in examining the translations of the vernacular papers shall be deducted in calculating the time prescribed by this rule for the preparation of Paper-books.

NOTE (2).—The parties may, by consent given in writing, substitute the memorandum of evidence made by the Judge under section 134 of the Code of Civil Procedure for the translations of depositions recorded under section 182 of the same Code in language other than English.

NOTE (3).—Maps forming part of a Paper-book shall be included in the Table of Contents, but shall not be bound up with the other papers in the Paper-book. Such Maps shall be drawn or printed on durable paper, and they shall form a separate packet with a separate list.

19. In all cases the translations of papers prepared for the purposes of the Paper-book, irrespective of the agency by which they may have been made, shall be examined and certified as correct by one of the examiners appointed by the Court for the purpose of examining and certifying translations in cases appealed to the Privy Council. The charge for such examination, which shall be payable to the examiners, shall be that laid down in clause (3) of Rule 13, and shall be deposited with the Accountant of the High Court.

If in any case it appears to the Examiner that a translation has been very carelessly or inaccurately made, he shall report the matter to the Deputy Registrar who shall submit such report to the Chief Justice through the Registrar, and the Chief Justice may take such action in the matter as he may deem fit.

Paper-book to be printed in what form and type. 20. The Paper-book shall be printed in accordance with the following directions†:—

- (a) All Paper-books are henceforth to be printed in the form known as *demij quarto*.
- (b) The size of the paper used is to be such that the sheet, when folded, will be eleven inches in height and eight inches and-a-half in width.
- (c) The type to be used in the text is pica type; but long primer is to be used in printing accounts, tabular matter, and notes.
- (d) The number of lines in each page of pica type is to be forty-seven, each line being five inches and three-quarters, or 146 millimetres.
- (e) Every tenth line on each page shall be numbered—that is, the tenth line will be numbered 10, and the second tenth line 20, and so on.

21. When the Appellant elects, within the twenty-one days* allowed by Rule 14, to have the Paper-book prepared in the office of his Vakil, or any other person specially authorized by the High Court to undertake the preparation of Paper-books, such Vakil or other person shall proceed to have it prepared in accordance with the directions contained in Rules 18, 19, and 20, and he shall be responsible for its proper preparation. Such Vakil or other person shall be afforded all reasonable access to the original record in order to enable him to make transcripts of the papers and do other acts necessary to the preparation of the Paper-book, but he shall not be entitled to remove such original record from the office of the Deputy Registrar. Certified transcripts of the papers shall be furnished to him, if he so desire upon payment of the usual rates.

NOTE (1).—Persons undertaking the preparation of Paper-books are expected themselves to deal with the original records made over to them, and are hereby prohibited from entrusting them to the care of any third persons. For the purposes of translating and copying documents, etc., the vakil or other person, who has undertaken the preparation of the Paper-book in a case, will alone be permitted to have access to the original record of such case.

NOTE (2).—Each Vakil or other person entrusted with the preparation of a Paper-book shall be permitted to utilise the services of one reader or muharriir to assist him in such work. The Vakil or person preparing the Paper-book must, however, himself be present and continuously in possession of the record, and on his leaving the office, the record must be returned to the officer of the Court in charge, and the work of preparing the Paper-book must at once cease, the reader or muharriir leaving with his employer.

This rule must be literally interpreted and will be strictly enforced.

NOTE (3).—In the case of any Paper-book in which a map has to be inserted the Vakil or other person preparing such Paper-book shall be allowed to utilize, in addition to a reader or muharriir, the services of a draftsman, who will be allowed access to the record on the same terms as the reader or muharriir.

* See Rule 31.

† For (a), (b), (c), (d), see order of Her late Majesty in Council, dated 24th March 1871, pages 1529 and 1530 *ante*.

22. There shall be maintained in the office of the Registrar of the Court on the Appellate Side a Register of Vakils willing to undertake the preparation of Paper-books, and of other persons specially authorised by the High Court. Any Vakil who has practised as such in the High Court for the period of three years and any Vakil who has practised in a Mufassal Court for not less than three years and in the High Court for not less than one year, may, upon application to such Registrar, have his name entered in this Register. No Vakil or other person whose name has not been so entered shall be allowed to prepare a Paper-book. A Division Court may direct any remarks to be entered in the said Register as to the mode in which the work of preparation of any particular Paper-book is done by any Vakil or other person, and may direct to be removed from such Register the name of any Vakil or other person who has shown negligence, incompetence, or want of due diligence in the preparation of Paper book undertaken by him.

23. The Paper-book when so prepared under Rule 21 shall be delivered to the Deputy Registrar, within the time allowed to the Deputy Registrar by Rule 18 for the preparation of a Paper-book prepared in the office of the High Court. If the Paper-book be not delivered within the time so allowed, the Deputy Registrar shall cause the appeal to be set down for hearing before the Division Court having jurisdiction in respect thereof. And such Court may, unless satisfied that there was reasonable ground for such default, direct the appeal to be dismissed for want of prosecution, or may pass such other order as may seem proper under the circumstances of the case.

24. There shall ordinarily be printed thirty copies of the Paper-book, but the Deputy Registrar may, when necessary, direct a larger number to be printed. The Appellant and Respondent shall be entitled to have, free of charge, as many copies as they have Advocates and Vakils engaged in the appeal. In any case they shall each be entitled to three copies. When the Paper-book has been prepared by the Appellant's Vakil or by any other person specially authorised, he shall deliver to the Deputy Registrar the total number of copies printed less the number which he is entitled to have under this rule: or he may upon request deliver to the Respondent the number of copies to which such Respondent is entitled under this rule, and deliver to the Deputy Registrar the remaining copies together with the Respondent's written receipt for the copies delivered to him.

25. The endorsement on every Paper-book prepared for the use of the High Court at the hearing of the appeal shall furnish the following information :—

- The date of institution of the suit.
- The date on which the appeal is filed.
- The date on which the notice is sent out.
- The date of service of notice.
- The date on which the record is received from the Lower Court.
- The date on which the translation of the record is sent to Press.
- The date on which the appeal is ready for hearing and the Paper-book prepared.
- The date on which the appeal is heard.

26. In appeals in which the Respondent shall not have appointed a Vakil up to the date of the preparation of the Paper-book, an appendix containing the deposition of the serving officer and the return and the remarks of the Lower Court as to the service shall be added to the Paper-book either in transcript or translation according as they may be in English or in the Vernacular.

27. There shall be printed at the end of every Paper-book, and in the following form, a statement in which shall be specified each item of the costs incurred in its preparation by the Appellant and the Respondent respectively :—

	BY THE APPELLANT.			BY THE RESPONDENT.		
	No. of pages.	Rate of charge.	Amount.	No. of pages.	Rate of charge.	Amount.
Estimating						
Translating, etc. (as in Rule 13).						

Any surplus remaining after deducting the costs actually incurred by each party from the amount deposited with the Accountant of the Court shall be refunded upon request to the party by whom the deposit was made.

Refund of surplus deposit.

28. In the absence of a written contract between the Appellant or Respondent and the Vakil or other person referred to in Rule 21 in whose office a Paper-book is prepared, the cost of preparing the Appellant's or Respondent's portion of the Paper-book may be assessed by the Taxing Officer of the Court: and such Taxing Officer shall assess it in accordance with the rates prescribed by Rule 13, upon demand by the party or the Vakil and after notice of the time and place at which he intends to make such assessment. The assessment of the Taxing Officer made under this rule shall be binding upon the party and the Vakil. When there is a written contract between the Respondent and the Vakil in whose office the Paper-book is prepared concerning the charges to be made for preparing the Respondent's portion of the Paper-book, or when such Respondent has assented in writing to the charges made by such Vakil, or when such charges have been assessed by the Taxing Officer under this Rule, the Deputy Registrar may pay such charges out of the amount deposited by the Respondent with the Accountant of the Court, provided always that such charges are not in excess of the rates prescribed by Rule 13.

29. The cost incurred in the preparation of the Paper-book, not exceeding the amount calculated at the rates prescribed in Rule 13, shall be costs in the appeal, unless as to the whole or any portion thereof the Court which hears the appeal shall otherwise direct.

30. A Division Court may, upon application and upon sufficient cause being shown, enlarge the time prescribed by these rules for doing any act to be done under their provisions. An application for enlargement of time must ordinarily be made before the expiry of the prescribed time, and be supported by an affidavit of facts and also by a certificate of the Deputy Registrar showing the dates on which the acts prescribed by these rules were done. Such certificate shall be granted upon payment of a fee of two rupees. A Division Court may also, upon application and upon sufficient grounds proved by affidavit, exempt any Appellant or Respondent from the operation of the whole or any part of these Rules or may make such special order as it deems fit as to any matter with which these Rules are concerned. In case any affidavit to be used under this rule is sent from the Mufassal and is in the Vernacular, it shall be accompanied with an English translation certified to be correct by a Vakil or a translator of this Court.

31. An appeal against a grant or refusal of grant, or revocation or refusal of revocation of Probate or Letters of Administration, shall be governed by these rules, subject, however, to the following alterations, namely, "fourteen days," shall be substituted for "thirty days" in Rules 4, 7, and 15, "seven days" shall be substituted for "twenty-one days," in Rules 13, 14, 18, and 21.

32. When these Rules direct or allow any act to be done by, or any notice to be given to an Appellant or Respondent, such act may be done by, or such notice given to, the Vakil, or (where authorized in that behalf by the rules of the High Court) the Mukhtar of such Appellant or Respondent.

XVIII. As soon as the Paper-book has been prepared by the Deputy Registrar, or, if prepared in the manner provided in Rule 21, as soon as it has been delivered to the Deputy Registrar, the Deputy Registrar shall enter the appeal in the General List of the Division Court having jurisdiction in the Group to which the appeal belongs, and shall have such list hung up in the usual places in the Court House.

XIX. It shall be the duty of the Bench Clerk attached to each Division Court to transfer, from time to time, as required, from the General List to the Daily Peremptory List of the Division Court such appeals as are ready for hearing in the order in which they have been preferred. Provided that no appeal shall be entered in the Peremptory List until the expiry of seven days from its entry in the General List of appeals ready for hearing.

XX. On receipt of the finding of a Lower Court in a case referred under section 566 of the Code of Civil Procedure, the Deputy Registrar shall notify to the Vakils of the parties that any objections to such finding must be filed within fourteen days from the date of the notice.

XXI. Whenever by an order of a Division Court, the decree or order of a Lower Court is modified or reversed, or costs are fixed in any special sum not specified in the judgment, it will be the duty of the particular Bench Clerk to require the Vakils of the parties concerned, or the parties if acting in person, to consider the decree drafted, and, if approved, to sign it, or, if objected to, to state their objections without delay to the Judges of such Court.

When any such decree is ready, a notice in the annexed form shall be issued by the Bench Clerk in charge of the decree, requiring the Vakils, or the parties, if acting in person, to attend at a given time at the end of the day after the rising of the Court, or on the following Saturday, for this purpose.

If the Vakils or the parties fail to attend, the Bench Clerk shall report the matter for the orders of the Court, submitting the decree with his report.

NOTICE.

IN THE HIGH COURT OF JUDICATURE AT FORT WILLIAM IN BENGAL.

APPELLATE CIVIL JURISDICTION.

APPEAL FROM No. OF 190 .

*Appellant,**versus**Respondent.*

To

Take notice that the decree of this Court in the abovementioned appeal has been prepared, and that you are required to attend the Bench Clerk in Court at o'clock on the of 190 , for the purpose of initialling or signing the same.

By order,

Bench Clerk.

XXII. In drawing up decrees of this Court dismissing with costs appeals by minors, or dismissing with costs suits by minors, the Bench Clerks should be careful to make the next friend of the minor liable for such costs, unless the Court otherwise orders.

In cases where the minor is Respondent and the decree of the Court below is reversed or altered, it shall be the duty of the Bench Clerk to call the attention of the Division Court to the fact that the Respondent is a minor, in order that special directions may be given as to the payment of costs.

XXIII. A copy of the Judgment and of the Decree passed by the High Court disposing of an appeal shall be certified by the Deputy Registrar and forwarded by him to the Court which passed the decree appealed against in the manner prescribed by section 581 of the Code of Civil Procedure.

XXIV. Every Decree and Order made by the High Court or by any Division Court or Judge of the High Court, shall be drawn up in the English language.

In all cases in which any process shall be sent to a Lower Court, it shall be accompanied by a translation in the Bengali language except—

- (1) in case in which any Process shall be sent into one of the districts named in the margin when the translation shall be drawn up in the Hindi language written in the Kaithi character; and
- (2) in cases in which any Process shall be sent into the Division of Cuttack, when the translation shall be drawn up in the Uriya language.

Patna, Gaya, Shahabad, Tirhut, Saran
and Champaran, Bhagalpur, Purnea,
Hazaribagh, Ranchi, and Palamau.

CHAPTER IX.—APPEALS FROM APPELLATE DECREES.

I. The Rules applying to appeals from Original Decrees (excepting Rule XVII) shall apply generally to appeals from Appellate Decrees except in so far as otherwise expressly provided.

II. When an appeal is preferred to the High Court against the Decree or Order passed in appeal by any Court subordinate to it, the Memorandum of Appeal shall be accompanied by a copy of the Judgment and Decree and Order as well of the Court in which the suit was originally tried as of the Court whose Decree or Order is appealed against.

III. When the same Appellant wishes to prefer more than one appeal against a Judgment governing more than one case, the Division Court may dispense with the production of more than one copy of the Judgment under section 541 of the Code of Civil Procedure.

IV. No petition of appeal from an Appellate Decree presented by any Vakil of the High Court shall be registered without an order of a Division Court unless the Vakil by whom the petition is presented shall sign a certificate at the foot of the petition in the following form:—

I, A. B., Vakil for the abovenamed , do hereby certify that, in my judgment, the ground (or if there be several, each of the grounds) of appeal in the above petition presented by me on behalf of the said , is a good ground of second appeal.

*Dated this**day of*

V. No petition of appeal from an Appellate Decree presented by any party to the appeal shall be registered without an order of a Division Court before whom the party presenting the appeal shall appear in person.

VI. It shall be the duty of the Deputy Registrar to satisfy himself that every appeal from an Appellate Decree is correct as to form, stamp and limitation, and then to register it in the Register of Appeals from Appellate Decrees.

VII. After receipt of the record from the Lower Court it shall be the duty of the Deputy Registrar to have the Paper-book for the use of the High Court at the hearing of the appeal prepared in accordance with the following rules for the preparation of Paper-books.

Rules for the preparation of Paper-books in Second Appeals exceeding Rs. 50 in value.

VIII. 1. The Paper-book in all appeals from Appellate Decrees, except appeals not exceeding Rs. 50 in value, will consist of the following papers; those not originally in the English language being translated into English:—

(a) The plaint.

NOTE.—Lengthy schedules and descriptions of boundaries appended to plaints may be omitted.

(b) The plaintiff's written statement, if any.

(c) The defendant's written statement.

NOTE.—When there are several sets of defendants in a suit, the written statement of defendants not parties to the Special Appeal either as Appellants or Respondents, may be omitted.

(d) Any documents upon the construction of which the determination of the appeal depends.

(e) The Judgment of the First Court.

(f) The Judgment of the Lower Appellate Court.

(g) Any Judgments or Orders of Remand passed in the case either by the Lower Appellate Court on Appeal or by the High Court on Second Appeal.

(h) The Memorandum of Second Appeal.

(i) A front leaf containing the number of the cause, names of the Judges of the two Courts below, names of the parties and of their Vakils, date of the institution of the suit, date of the Judgment of the First Court, date of the Judgment of the Lower Appellate Court, date on which the Second Appeal was filed, date of service of notice upon the Respondents, and date on which the cause was ready for hearing.

2. In each case of Second Appeal, the Deputy Registrar will cause to be printed 12 copies of the Paper-book as aforesaid.

3. The Appellant, at the time of filing the Memorandum of Second Appeal, and the Respondent, at the time of entering appearance through a Vakil or Attorney of the High Court, shall each of them deposit with the Accountant the sum of Rs. 7-8, and shall each of them be entitled to one copy of the Paper-book, free of charge.

4. If it shall be ascertained at any time that the sum deposited in any case will not cover the costs actually, or likely to be, incurred, the difference shall be deposited by the Appellant within two weeks after demand.

5. In case of any party failing to make the necessary deposit under Rules 3 and 4, the Deputy Registrar shall at once cause the appeal to be set down before the Division Court to which it belongs; and if the party does not satisfy the Court as to his delay, his appeal may be dismissed for want of prosecution, or the Court may pass such other order as it may deem proper.

6. When the case is ready for hearing, the Deputy Registrar will furnish the Vakils or Attorneys engaged on either side with copies of the Paper-book, for which deposit shall have been made as aforesaid. The issue of Paper-books to the Vakils or Attorneys will be notice to them that the case is ready for hearing.

7. No Memorandum of Second Appeal filed through a Vakil or Attorney of the High Court, nor a first vakalatnama or power-of-attorney for the appearance of a Respondent, will be admitted or received, unless, at the time of presentation, the deposit has been made with the Accountant under Rule 3:

Provided that any second or other vakalatnama or power-of-attorney for the appointment of new Vakils or Attorneys, or re-appointment of former Vakils or Attorneys by representatives of deceased parties may be filed without such deposit.

8. An account shall be kept of so much of the actual cost of preparing and printing the Paper-book in each Second Appeal as is chargeable to the parties, and the appellant and respondent shall be each of them entitled to a refund in equal shares of the excess of the sum paid by them jointly over the said actual costs.

9. Additional Paper-books supplied at the request of the parties shall be charged for.

10. In cases governed by one judgment, the Court, on application, will make a special order.

11. The Court may, upon the application of any party, and upon good and sufficient reason shewn, give such special directions as to any of the matters to which these Rules relate as may seem fit; and may by special order exempt any party from the operation of any portion of these Rules.

Rules for the preparation of Paper-books in Second Appeals not exceeding Rs. 50 in value.

IX. (1) In Second Appeals under Rs. 50 in value the Paper-book shall consist of the following papers:—

(a) Judgment of the First Court.

(b) Judgment of the Lower Appellate Court.

(c) Memorandum of Appeal to the High Court.

(d) In cases in which the case has been remanded either to the First Court by the Lower Appellate Court, or to the Lower Appellate Court by the High Court, the Order remanding the case and the Judgment or Order passed on such remand.

(2) The Deputy Registrar shall cause two copies of the Paper-book as aforesaid to be prepared in manuscript.

(3) No charge shall be levied from the parties on account of the preparation of the Paper-book.

CHAPTER X.—APPEALS FROM ORDERS.

I. The rules applying to appeals from Original Decrees shall apply generally to Appeals from Orders, excepting Rule XVII, which shall apply so far only as is specially provided in this Chapter.

II. It shall be the duty of the Deputy Registrar to enter appeals from Orders after admission in the Register of Appeals from Orders.

III. In the case of—

(1) appeals from Orders of the Lower Appellate Courts remanding cases for retrial, and

(2) appeals from the Orders of the Lower Courts made on remand by the High Court,

there shall be added at the foot of every Memorandum of Appeal a note to the following effect :—

NOTE.—This appeal is from an Order of the Lower Appellate Court dated _____, remanding the case for retrial under section _____ of the Code of Civil Procedure,

or

This appeal is from an Order of the Lower Appellate Court (or Court of First Instance, as the case may be) made on remand by the High Court dated _____.

IV. Such appeals shall have precedence over other appeals in the preparation for hearing, and shall, when ready, be placed on a special board of appeals for hearing.

V. When an Order has been made by a Division Court under section 562 or 568 of the Code of Civil Procedure, the Deputy Registrar shall make a note of the same in a Register to be kept for the purpose; and he shall bring to the notice of the Division Court any case in which the Lower Court shall not have made a return to the Order of Remand within four months or within such time as may have been specially ordered.

VI. In the event of any omission on the part of the Vakil to append to the Memorandum of Appeal a note in the terms required by Rule III, it shall be the duty of the Deputy Registrar to bring such omission to the notice of the Division Court before which the appeal is pending, and it will be for the Division Court to decide whether, as a penalty for such omission on the part of the Vakil, any costs to which his client may otherwise become entitled should not be withheld.

Rules for the preparation of Paper-books in Appeals from Orders.

VII. The rules for the preparation of Paper-books in appeal from Original Decrees prescribed in Rule XVII of Chapter VIII, with the exception of Rules 3, 14, 21, 22, 23, 25, 26, and 28, shall apply to every First Appeal from an Order (including an order under section 244 of the Code of Civil Procedure) passed by a Provincial Civil Court, not being an order under section 562 of the same Code, with the following modifications, viz :—

(1) that the Paper-book shall be prepared in the Court's office, and the Appellant may elect to have it prepared in manuscript, lithographed or printed; that such election shall be made at the time of filing his list under Rule 4; and that "twelve" copies only of the Paper-book shall be required instead of "thirty" as prescribed in Rule 24;

(2) that "fourteen" days shall be substituted for "thirty" days in Rules 4 and 7; that "fourteen" days shall be substituted for "twenty-one" days in Rule 13, and that "twenty-one" days shall be substituted for "thirty" days in Rule 15 except in regard to appeals from districts specially dealt with in Rule 15, in which cases the time allowed will be thirty days;

(3) and that for the papers specified in Rule 18 the following shall be substituted—

- (a) the application or proceeding on which the order appealed against was passed;
- (b) the petition, if any, filed in answer;
- (c) the evidence, oral or documentary, which may have been taken or put in with reference to the application or proceeding and which is necessary for the decision of the appeal;

N.B.—The parties may, by consent given in writing, substitute the memorandum of the evidence made by the Judge under section 148 of the Code of Civil Procedure for the translations of depositions recorded under section 182 of the same Code in language other than English.

(d) the Order appealed against;

(e) any other papers, to which reference may be necessary for the decision of the appeal;

(f) the Memorandum of Appeal.

N.B.—No charge shall be made for the copies of (d) and (f).

VIII. 1. In Second Appeals from Orders (including Orders under section 244 of the Code of Civil Procedure), irrespective of the value of such appeals and in appeals from